S/INF/57

United Nations

Resolutions and Decisions of the Security Council

1 January 2001 – 31 July 2002

Security Council
Official Records

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United Nations • New York, 2003

NOTE

The present volume of *Resolutions and Decisions of the Security Council* contains the resolutions adopted and the decisions taken by the Council on substantive questions during the period from 1 January 2001 to 31 July 2002, as well as decisions on some of the more important procedural matters. Pursuant to the note by the President of the Security Council dated 22 May 2002 (S/2002/199), which is reproduced in Part II of the present volume, subsequent volumes will cover the period from 1 August of one year to 31 July of the next, the same period to be covered by the report of the Security Council to the General Assembly [*Official Records of the General Assembly, Supplement No.* 2].

The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council in the period under review, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote, but in cases where a vote has been recorded, it is given immediately after the decisions.

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ISSN 0257-1455

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Members of the Security Council in 2001 and 2002

In 2001 and 2002, the membership of the Security Council was as follows:

2001

Bangladesh
China
Colombia
France
Ireland
Jamaica
Mali
Mauritius
Norway
Russian Federation
Singapore
Tunisia
Ukraine
United Kingdom of Great Britain and Northern Ireland
United States of America

2002

Bulgaria
Cameroon
China
Colombia
France
Guinea
Ireland
Mauritius
Mexico
Norway
Russian Federation
Singapore
Syrian Arab Republic
United Kingdom of Great Britain and Northern Ireland
United States of America

Resolutions adopted and decisions taken by the Security Council from 1 January 2001 to 31 July 2002

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

THE SITUATION IN SOMALIA

[*Resolutions or decisions on this question were also adopted by the Security Council from 1992 to 1997 and in 1999 and 2000.*]

Decisions

At its 4254th meeting, held in private on 11 January 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4254th meeting, held in private on 11 January 2001, the Security Council considered the item entitled 'The situation in Somalia'.
>
> "In accordance with the understanding reached in the Council's prior consultations, Mr. Ali Khalif Galaydh, Prime Minister of the Transitional National Government of Somalia, was invited to participate in the discussion.
>
> "The representative of Djibouti was invited, at his request, to participate in accordance with rule 37 of the provisional rules of procedure of the Council.
>
> "The Council heard a briefing by Mr. Galaydh.
>
> "The members of the Council made comments and posed questions in connection with the briefing.
>
> "Mr. Galaydh responded to the comments and questions posed by members of the Council."

At its 4255th meeting, on 11 January 2001, the Council considered the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2000/1211)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[1]

> "The Security Council notes with appreciation the report of the Secretary-General of 19 December 2000 on the situation in Somalia[2] and reaffirms its commitment to a comprehensive and lasting settlement of the situation in that country, consistent with the principles of the Charter of the United Nations, and bearing in mind respect for the sovereignty, territorial integrity, political independence and unity of Somalia.
>
> "The Council welcomes and supports the outcome of the Somalia National Peace and Reconciliation Conference held in Arta, Djibouti, the establishment of the Transitional National Assembly and the Transitional National Government. It expresses gratitude for the

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[1] S/PRST/2001/1.

[2] S/2000/1211.

efforts undertaken by the Government and people of Djibouti in convening the peace conference. Furthermore, it recognizes with appreciation the impetus provided to the process by the Intergovernmental Authority on Development, including the mandate extended by the ministerial meeting in Djibouti in March 2000.

"The Council further welcomes the efforts of the Transitional National Government to promote reconciliation within Somalia. It strongly urges all political groups in the country, in particular those which have remained outside the Arta peace process, to engage in peaceful and constructive dialogue with the Transitional National Government in order to promote national reconciliation and facilitate the democratic elections scheduled for 2003, as called for in the Transitional National Charter. It further calls upon all groups, in particular armed movements, to support and participate in the demobilization efforts undertaken by the Transitional National Government. It encourages the Transitional National Government to continue, in a spirit of constructive dialogue, the process of engaging all groups in the country, including in the north-eastern and north-western areas, with a view to preparing for the installation of permanent governance arrangements through the democratic process.

"The Council underlines the massive challenges facing Somalia with respect to reconstruction and development, and the immediate need for urgent assistance, particularly in the areas of demobilization – with special attention to measures to combat HIV/AIDS and other communicable diseases – disarmament and rehabilitation of basic infrastructure. It calls upon the United Nations, its Member States and specialized agencies, non-governmental organizations as well as the Bretton Woods institutions to assist in addressing these challenges.

"The Council, emphasizing the importance of respect for human rights and international humanitarian law, notes with concern that the humanitarian and security situation remains fragile in several parts of Somalia, including Mogadishu. It strongly condemns attacks by armed groups on civilians and humanitarian personnel and calls upon all Somalis to respect fully the security and safety of personnel of the United Nations, specialized agencies, the International Committee of the Red Cross and non-governmental organizations, and to guarantee their complete freedom of movement and safe access throughout Somalia.

"The Council reiterates to all States their obligation to comply with the measures imposed pursuant to resolution 733 (1992) of 23 January 1992 and urges each State to take the necessary steps to ensure full implementation and enforcement of the arms embargo. It strongly condemns the illegal supply of weapons to recipients in Somalia. It reiterates its call upon all States, the United Nations and other international organizations and entities to report to the Security Council Committee established pursuant to resolution 751 (1992) of 24 April 1992 information on possible violations of the arms embargo.

"The Council insists that all States should refrain from any military intervention in the internal situation in Somalia and that the territory of Somalia should not be used to undermine stability in the subregion.

"The Council welcomes the intention of the Secretary-General to put in place a trust fund for peace-building in Somalia. It notes that despite the recent positive developments in Somalia, the security situation in the country is still a cause for serious concern. The Council therefore invites the Secretary-General to prepare a proposal for a peace-building mission for Somalia. Such a proposal should, with specific attention to the security situation in the country, outline possible ways to advance the peace process further.

"The Council remains seized of the matter."

At its 4332nd meeting, on 19 June 2001, the Council considered the item entitled "The situation in Somalia".

Resolution 1356 (2001)
of 19 June 2001

The Security Council,

Reaffirming its resolutions 733 (1992) of 23 January 1992 and 751 (1992) of 24 April 1992,

Expressing its desire to see peace and security return to Somalia,

Recognizing the ongoing efforts of the United Nations, specialized agencies and humanitarian organizations to deliver humanitarian assistance to Somalia,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* to all States their obligation to comply with the measures imposed pursuant to resolution 733 (1992), and urges each State to take the necessary steps to ensure full implementation and enforcement of the arms embargo;

2. *Decides* that the measures imposed by paragraph 5 of resolution 733 (1992) shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Somalia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

3. *Decides also* that the measures imposed by paragraph 5 of resolution 733 (1992) shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Security Council Committee established pursuant to resolution 751 (1992);

4. *Requests* the Committee to give consideration to and decide upon requests for the exemptions set out in paragraph 3 above;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 4332nd meeting.

Decisions

At its 4392nd meeting, on 19 October 2001, the Security Council decided to invite the representatives of Belgium, Djibouti, Egypt, Ethiopia, Iraq, Japan, Kenya, the Libyan Arab Jamahiriya, Nigeria, Qatar, Somalia, Syrian Arab Republic and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2001/963)".

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. David Stephen, Representative of the Secretary-General for Somalia,

At the same meeting, the Council further decided, at the request of the representative of Mali[3] to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference to the United Nations.

At its 4401st meeting, on 31 October 2001, the Council considered the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2001/963)".

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[3] Document S/2001/984, incorporated in the record of the 4392nd meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[4]

"The Security Council, having considered the report of the Secretary-General of 11 October 2001[5] and having held a public meeting on 19 October 2001,[6] reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia, consistent with the principles of the Charter of the United Nations, and bearing in mind its respect for the sovereignty, territorial integrity, political independence and unity of Somalia.

"The Council reiterates its support for the outcome of the Somalia National Peace and Reconciliation Conference in Arta, Djibouti, and the establishment of the Transitional National Assembly and the Transitional National Government. It encourages the Transitional National Government to continue, in a spirit of constructive dialogue, the process of engaging all groups in the country, including in the north-eastern and north-western areas, with a view to preparing for the installation of permanent governance arrangements through the democratic process.

"The Council believes that the Arta peace process continues to be the most viable basis for peace and national reconciliation in Somalia. It urges the Transitional National Government, political and traditional leaders and factions in Somalia to make every effort to complete, without preconditions, the peace and reconciliation process through dialogue and involvement of all parties in a spirit of mutual accommodation and tolerance. It calls upon all parties to refrain from actions that undermine the Arta peace process. The Council emphasizes that while the search for a national solution continues, unwavering attention must be paid to achieving local political settlements as well.

"The Council expresses its support for the ongoing efforts of the Transitional National Government to enhance security in the Mogadishu area and to make operational the National Commission for Reconciliation and Property Settlement, which should be independent, as foreseen in the Transitional National Charter. The Council emphasizes the necessity for efforts against international terrorism in accordance with resolution 1373 (2001) of 28 September 2001, and welcomes the stated intention of the Transitional National Government to take steps in this regard. The Council urges the international community, including through the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-terrorism Committee), to provide assistance to Somalia for the implementation of the aforementioned resolution.

"The Council calls upon concerned States in the Horn of Africa to contribute constructively to the peace efforts in Somalia. It emphasizes that the situation in Somalia and the objective of long-term regional stability can most effectively be addressed if neighbouring States play a positive role, including in the process of rebuilding national institutions in Somalia.

"The Council acknowledges Djibouti's major contribution to the Arta peace process and welcomes its continued role in this regard. It encourages the Inter-Governmental Authority on Development, the Organization of African Unity/African Union and the League of Arab States to enhance their efforts to promote peace in Somalia.

"The Council calls upon all States and other actors to comply scrupulously with the arms embargo established pursuant to resolution 733 (1992) of 23 January 1992. The Council insists that States, in particular those of the region, should not interfere in the internal affairs of Somalia. Such interference could jeopardize the sovereignty, territorial integrity, political independence and unity of Somalia.

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[4] S/PRST/2001/30.

[5] S/2001/963.

[6] S/PV.4392 and S/PV.4392 (resumption 1).

"The Council insists that the territory of Somalia should not be used to undermine stability in the subregion.

"The Council strongly condemns the attack on 13 October 2001 on a police station in Mogadishu, in which a number of officers and civilians were killed. It reiterates its condemnation of the attack on 27 March 2001 on the compound of Médicins sans Frontières in Mogadishu and the subsequent abduction of international personnel, and demands that those responsible must be brought to justice. The Council notes that these attacks were launched at the same time as a possible United Nations peace-building mission for Somalia was being considered.

"The Council emphasizes that no measure of violence can alleviate the plight of the Somali people or bring stability, peace or security to their country. It calls for an immediate end to all acts of violence in Somalia. Deliberate acts of violence should not be allowed to prevent the rehabilitation of the governing structures of Somalia and the restoration of the rule of law throughout the country. In this context, the Council condemns the leaders of those armed factions that remain outside the peace process and continue to be obstacles to peace and stability in Somalia.

"The Council expresses concern about the humanitarian situation in Somalia, in particular in southern areas, and in the Bay, Bakool, Gedo and Hiran regions due to the expected food insecurity and lack of rainfall in the period from October to December. It draws attention to the urgent need for international assistance, inter alia, in covering food and water shortfalls, thereby also combating potentially further destabilizing stress migration and prevalence of disease. Noting that problems in livestock exports have also been a major influence in worsening the economic and humanitarian situation, the Council calls upon all States and all authorities within Somalia to cooperate in efforts to allow the resumption of such exports.

"The Council notes with satisfaction that the United Nations, the Red Cross Movement and non-governmental organizations continue to provide humanitarian and development assistance to all areas of Somalia. The Council calls upon all parties in Somalia to respect fully the security and safety of personnel of the United Nations, the International Committee of the Red Cross and non-governmental organizations, and to guarantee their complete freedom of movement and access throughout Somalia. The Council calls upon Member States to respond urgently and generously to the United Nations Consolidated Inter-Agency Appeal for 2001, for which only 16 per cent of the identified needs have been financially provided thus far.

"The Council requests the Secretary-General to take the following steps in support of the peace process in Somalia:

"(*a*) Dispatch a Headquarters-led inter-agency mission to carry out a comprehensive assessment, based on existing general United Nations standards, of the security situation in Somalia, including in Mogadishu;

"(*b*) Prepare proposals for ways in which the United Nations may further assist in the demobilization of militia members and the training of police personnel from the Transitional National Government;

"(*c*) Invite donors to make contributions to the trust fund for peace-building in Somalia, to be put in place as proposed in the report of the Secretary-General of 19 December 2000,[2] with a view to facilitating targeted activities in line with proposals developed pursuant to subparagraph (*b*) above;

"(*d*) Consider the scope for adjustments, as appropriate, to the mandate for the United Nations Political Office for Somalia;

> "(*e*) Consult all concerned on finding practical and constructive ways of achieving the following objectives:
>
> "(i) Promoting coherency of policy approaches to Somalia and consolidating support for peace and reconciliation in the country;
>
> "(ii) Facilitating exchange of information; and
>
> "(iii) Finding ways and means of drawing attention to Somalia's needs related to national reconciliation and development;
>
> The effort to achieve the objectives stated in subparagraphs (*i*), (*ii*) and (*iii*) above should have a focus in the region and include close interaction with the Intergovernmental Authority on Development and its Partners Forum, the Organization of African Unity/African Union, the League of Arab States and the Security Council;
>
> "(*f*) Intensify, through urgent contacts with donor countries and relevant non-governmental organizations, the efforts to provide humanitarian and development assistance in Somalia; and
>
> "(*g*) Submit reports, at least every four months, on the situation in Somalia and the efforts to promote the peace process, including updates on the scope and contingency planning for launching a peace-building mission for Somalia. The next report, which is due to be submitted on 31 January 2002, should provide an update on the activities undertaken pursuant to paragraphs (*a*) to (*f*) above.
>
> "The Council remains seized of the matter."

On 21 November 2001, the President of the Security Council addressed the following letter to the Secretary-General:[7]

> "I have the honour to inform you that your letter dated 16 November 2001 concerning your decision to continue the activities of the United Nations Political Office for Somalia for the biennium 2002–2003[8] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

On 19 February 2002, the President of the Security Council addressed the following letter to the Secretary-General:[9]

> "I have the honour to inform you that your letter dated 12 February 2002 concerning your intention to appoint Mr. Winston A. Tubman as your Representative in Somalia and Head of the United Nations Political Office for Somalia[10] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4486th meeting, held in private on 11 March 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4486th meeting, held in private on 11 March 2002, the Security Council considered the item entitled 'The situation in Somalia'.
>
> "The President, with the consent of the Council, invited Mr. Yusuf Hassan Ibrahim, Minister for Foreign Affairs of the Transitional National Government of Somalia, at his

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[7] S/2001/1098.

[8] S/2001/1097.

[9] S/2002/177.

[10] S/2002/176.

request, to participate in the discussion of the item, without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The members of the Council and the Minister for Foreign Affairs had a constructive discussion."

At its 4487th meeting, on 11 March 2002, the Council decided to invite the representatives of Djibouti, Egypt, Ethiopia, Kenya, Jordan, the Libyan Arab Jamahiriya, Somalia and Spain to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2002/189)".

At its 4502nd meeting, on 28 March 2002, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2002/189)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[11]

"The Security Council recalls the statements by its President of 11 January[1] and 31 October 2001,[4] and all other decisions concerning the situation in Somalia. The Council, having considered the report of the Secretary-General of 21 February 2002[12] and having held a public meeting on 11 March 2002,[13] reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia, reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of the country, consistent with the principles of the Charter of the United Nations.

"The Council reiterates its support for the Arta peace process, which continues to be the most viable basis for peace and national reconciliation in Somalia. The Council urges the Transitional National Government, local authorities and political and traditional leaders in Somalia to make every effort to complete, without preconditions, the peace and reconciliation process through dialogue and involvement of all parties, in a spirit of mutual accommodation and tolerance, with a view to establishing an all-inclusive government in Somalia based on the sharing and devolution of power through the democratic process.

"The Council strongly supports the decisions of the ninth Summit of the Intergovernmental Authority on Development, held in Khartoum on 10 and 11 January 2002, and by the Foreign Ministers Committee of the Intergovernmental Authority on Development on 14 February 2002 to convene a national reconciliation conference for Somalia in Nairobi in April 2002, including the Transitional National Government and all other Somali parties, without conditions. The Council strongly supports the call upon Kenya, Ethiopia and Djibouti (the frontline States) by the ninth Summit to coordinate their efforts for national reconciliation in Somalia under the supervision of the Chairman of the Intergovernmental Authority, and to hold the reconciliation conference under the auspices of President Daniel Arap Moi of Kenya, as the coordinator of the frontline States, to continue the peace process in Somalia and report to the Chairman of the Intergovernmental Authority. The Council will follow the further developments closely and emphasizes that the constructive and coordinated involvement by all frontline States is crucial for the restoration of peace and stability in Somalia. The Council calls upon all States in the region, including

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[11] S/PRST/2002/8.

[12] S/2002/189.

[13] S/PV. 4487 and S/PV. 4487 (Resumption 1).

States that are not members of the Intergovernmental Authority, to contribute constructively to the peace efforts for Somalia, including by using their influence to bring on board Somali groups that have thus far not joined the peace process. The Council encourages the Secretary-General, through his Special Adviser and the United Nations Political Office for Somalia, to support actively the initiative of the Intergovernmental Authority in the important period ahead.

"The Council, underlining the fact that the future of Somalia depends, first of all, on the commitment of Somali leaders to end the suffering of their people by negotiating a peaceful end to the conflict, strongly urges all parties to participate at the decision-making level in the Reconciliation Conference. The Council expresses its intention to consider the situation in Somalia taking into account the outcome of the Reconciliation Conference upon its conclusion, including with regard to participation in a constructive manner by the respective parties or any lack thereof.

"The Council, deeply concerned about the recent fighting in Mogadishu and in the Gedo region, calls for an immediate end to all acts of violence in Somalia. The Council condemns the leaders of those armed factions that continue to be obstacles to peace and stability in Somalia. The Council emphasizes that the efforts for peace in the country should not be held hostage to deliberate acts of violence or other acts aimed at preventing the country from returning to normality and the setting up and rehabilitation of its governing structures.

"The Council notes with serious concern the continued flow of weapons and ammunition supplies to Somalia from other countries, the reported training of militia and plans for major offensives in southern and north-eastern parts of the country. The Council is also concerned about the illicit trafficking and trade in small arms in the entire subregion. The Council insists that no State, in particular those of the region, should interfere in the internal affairs of Somalia. Such interference only further destabilizes Somalia, contributes to a climate of fear, impacts adversely on individual human rights and could jeopardize the sovereignty, territorial integrity, political independence and unity of the country. The Council insists that the territory of Somalia should not be used to undermine stability in the subregion. The Council emphasizes that the situation in Somalia and the objective of long-term regional stability can most effectively be addressed if all States in the region play a positive role, including in the process of rebuilding national institutions in Somalia.

"The Council calls upon all States and other actors to comply scrupulously with the arms embargo established pursuant to resolution 733 (1992) of 23 January 1992 and to report all information on any violations to the Security Council Committee established pursuant to resolution 751 (1992) of 24 April 1992. The Council expresses its determination to put in place concrete arrangements and/or mechanisms, by 30 April 2002, for the generation of independent information on violations and for improving the enforcement of the embargo.

"The Council emphasizes the necessity for further efforts against international terrorism in accordance with resolution 1373 (2001) of 28 September 2001. The Council notes the commitment of the Transitional National Government to combat international terrorism and welcomes the report submitted in this regard.[14] The Council further notes the stated intentions of local authorities in various parts of the country to take steps pursuant to resolution 1373 (2001). The Council, insisting that persons and entities must not be allowed to take advantage of the situation in Somalia to finance, plan, facilitate, support or commit terrorist acts from the country, emphasizes that efforts to combat terrorism in Somalia are inseparable from the establishment of peace and governance in the country. In this spirit, the

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[14] S/2001/1287

Council urges the international community to provide assistance to Somalia for the further and comprehensive implementation of resolution 1373 (2001).

"The Council notes that the downturn in remittances and freezing of accounts of individuals following the closing of the offices of the Al-Barakaat Group reduced household incomes in Somalia. The Council underlines, as a matter of urgency, the necessity to develop mechanisms that facilitate legitimate financial transfer to and from Somalia while preventing further financial flows to terrorists and terrorist groups, taking fully into account the different concerns involved. The Council is encouraged by the initiative by the United Nations Development Programme to establish a monitoring and regulatory framework for money transfer companies to facilitate their operations locally and internationally.

"The Council expresses concern about the humanitarian situation in Somalia, particularly in the Gedo and Bari regions. The Council draws attention to the urgent need for international assistance, inter alia, in covering food and water shortfalls, thereby also combating potentially further destabilizing migration and the outbreak of disease. It further underlines that longer-term intervention is required to stimulate economic recovery, rebuild household asset bases and promote sustained productivity. The Council calls upon Member States to respond urgently and generously to the United Nations Consolidated Inter-Agency Appeal for 2002.

"The Council, noting that problems in livestock exports have severely affected the humanitarian and economic situation in Somalia, welcomes the lifting of the ban on exports from Somalia by some States, and calls upon States that maintain the ban to take active steps towards the resumption of livestock imports from Somalia. The Council appreciates the efforts by the United Nations Development Programme and the Food and Agricultural Organization to promote the lifting of the ban imposed by a number of States.

"The Council notes the recent security assessment of the inter-agency mission to Somalia. The Council further notes that the security regime will follow the United Nations practice of incremental engagement with Somali communities that are moving towards peace, through constant evaluation of security conditions. The Council requests the Secretary-General to keep the security situation under review, including through regular inter-agency headquarters assessment missions.

"The Council notes with satisfaction that, in spite of the difficult security conditions, the United Nations, the Red Cross and Red Crescent Movements and non-governmental organizations continue to provide humanitarian and development assistance to all areas of Somalia. The Council condemns attacks on humanitarian personnel and calls upon all parties in Somalia to respect fully the security and safety of personnel of the United Nations, the International Committee of the Red Cross and non-governmental organizations, and to guarantee their complete freedom of movement and access throughout Somalia.

"The Council values the desire of the Transitional National Government and various local authorities in Somalia to cooperate with the United Nations in creating an enabling environment for humanitarian and development assistance, and commends the peace-building activities currently implemented by United Nations agencies in the country. The Council notes that safe access for staff and assets of the United Nations, the Red Cross and Red Crescent Movements and non-governmental organizations already exists in a number of areas. It further notes the trend towards improved security conditions in a number of areas in the north, middle and south of Somalia, in accordance with the report of the Secretary-General.

"The Council notes the recommendation by the Secretary-General that the international community must increase its programmes of assistance to Somalia in creative and innovative ways, wherever the security situation allows, including by making greater efforts to ensure that the peace dividend aspect of targeted assistance is fully exploited. The Council reiterates that a comprehensive post-conflict peace-building mission should be deployed once security conditions permit.

"The Council requests the Secretary-General, as a matter of urgency and under the current circumstances, to utilize to the fullest his Representative, in close cooperation with the United Nations Resident Coordinator for Somalia, to coordinate ongoing peace-building activities and provide for their incremental expansion, including strengthening the staff in a coherent manner and in accordance with the security arrangements. Preparatory activities on the ground for a comprehensive peace-building mission should take the following elements into account, while also considering other proposals for post-conflict peace-building activities:

"(*a*) Community-based peace-building;

"(*b*) Disarmament, demobilization, rehabilitation and reintegration of militia, in particular child soldiers;

"(*c*) Assessing and combating illicit trade and trafficking of small arms;

"(*d*) Training of police with a view to establishing uniform standards of law enforcement throughout Somalia;

"(*e*) Quick-impact projects aimed at improving security;

"(*f*) Intensifying women's participation at all levels in peace building;

"(*g*) Intensifying dialogue on humanitarian and development issues, including resolution of land claims at the local level;

"(*h*) AIDS education and prevention.

"The Council requests the Secretary-General to establish, without further delay, a trust fund for peace-building in Somalia to support the preparatory activities on the ground for a comprehensive peace-building mission and supplement the United Nations Consolidated Inter-Agency Appeal, as envisaged in his report of 19 December 2000[2] and as indicated through the statements by its President of 11 January[1] and 31 October 2001,[4] and invites donors to come forward and make contributions at an early stage.

"The Council, underlining its strong resolve to support in a practical manner the United Nations system in its incremental approach to peace-building in Somalia in line with the present statement, endorses a working mission to the region, at the appropriate level, consisting of interested members of the Council and Secretariat staff. It would welcome the facilitation and input by the United Nations Political Office for Somalia and the United Nations country team for Somalia in this regard. The Council expresses its determination to address, based on the report to be submitted by the mission and the upcoming report by the Secretary-General, how it may further support in a practical and concrete manner the peace efforts in Somalia on a comprehensive basis.

"The Council endorses the establishment of t Somalia Contact Group, to operate in Nairobi and New York. The Council invites the Nairobi branch of the Contact Group, inter alia, to promote the completion of the Arta peace process, including through the Intergovernmental Authority on Development initiative referred to above; to support the implementation of the pilot peace-building programme, as stipulated above; and to elaborate practical ways and means of facilitating exchange of information through engaging various actors in the region, including the community of non-governmental organizations. The Council further underlines that the primary purpose of the New York branch of the Contact Group should be to support the work of the Secretariat on Somalia with a view to ensuring that the situation in the country is given due consideration by the United Nations.

"The Council welcomes the appointment of Mr. Winston A. Tubman as the new Representative of the Secretary-General and Head of the United Nations Political Office for Somalia and his assumption of duties in Nairobi in April 2002. The Council expresses its gratitude to the departing Representative, Mr. David Stephen, for his tireless efforts over four years in support of national reconciliation in Somalia.

"The Council requests the Secretary-General to address fully the requirements of the present statement in his report due on 30 June 2002.

"The Council remains seized of the matter."

At its 4524th meeting, on 3 May 2002, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

Resolution 1407 (2002)
of 3 May 2002

The Security Council,

Recalling its relevant resolutions concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992,

Recalling also the statement by its President of 28 March 2002,[11]

Noting with serious concern the continued flow of weapons and ammunition supplies to Somalia from other countries, undermining peace and security and the political efforts for national reconciliation in Somalia,

Welcoming the forthcoming visit of the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) of 24 April 1992 (hereinafter referred to as "the Committee") to Somalia and States in the region in June 2002, and looking forward to his report in this regard,

Acting under Chapter VII of the Charter of the United Nations,

1. *Requests* the Secretary-General to establish, within one month from the date of adoption of the present resolution, in preparation for a panel of experts, a team of experts consisting of two members for a period of thirty days, to provide the Committee with an action plan detailing the resources and expertise that the panel of experts will require to be able to generate independent information on violations and for improving the enforcement of the weapons and military equipment embargo established by paragraph 5 of resolution 733 (1992) (hereinafter referred to as "the arms embargo"), including by:

- Investigating the violations of the arms embargo covering access to Somalia by land, air and sea, in particular by pursuing any sources that might reveal information related to violations, including relevant States, intergovernmental organizations and international law enforcement cooperation bodies, non-governmental organizations, financial institutions and intermediaries, other brokering agencies, civil aviation companies and authorities, members of the Transitional National Government, local authorities, political and traditional leaders, civil society and the business community;

- Detailing information in relevant areas of expertise related to violations and enforcement of the arms embargo in its various aspects;

- Carrying out field-based research, where possible, in Somalia, States neighbouring Somalia and other States, as appropriate;

- Assessing the capacity of States in the region to implement fully the arms embargo, including through a review of national customs and border control regimes;

- Providing recommendations on possible practical steps for further strengthening the enforcement of the arms embargo;

2. *Requests* the Chairman of the Committee to forward the report of the Team of Experts, within two weeks of its reception, to the Security Council for its consideration;

3. *Expresses its determination* to examine the findings of the experts and the Chairman of the Committee and to take further action in follow-up to the statement by the President of the Security Council of 28 March 2002[11] and paragraph 1 above by the end of July 2002;

4. *Calls upon* all States and the Transitional National Government and local authorities in Somalia to cooperate fully with the Chairman of the Committee and the Team of Experts in their quests for information in accordance with the present resolution, including by facilitating visits to sites and actors and by providing full access to government officials and records, as requested by the Chairman of the Committee or the Team of Experts;

5. *Urges* all other individuals and entities contacted by the Chairman of the Committee or the Team of Experts to cooperate fully by providing relevant information and facilitating their investigations, including political and traditional leaders, members of civil society and the business community, financial institutions and intermediaries, other brokering agencies, civil aviation companies and authorities, non-governmental organizations, intergovernmental organizations and international law enforcement cooperation bodies;

6. *Requests* the Chairman of the Committee and the Team of Experts to notify the Council immediately, through the Committee, of any lack of cooperation by the authorities and entities referred to above;

7. *Requests* the Secretary-General to work actively through technical assistance and cooperation with the Transitional National Government, local authorities and traditional civil and religious leaders to enhance the administrative and judicial capacities throughout Somalia to contribute to the monitoring and enforcement of the arms embargo, in accordance with the statement by the President of the Security Council of 28 March 2002, and invites all humanitarian and developmental actors to promote and reinforce this objective in a coordinated manner through their programmes of assistance for Somalia;

8. *Requests* all States to report to the Committee no later than sixty days from the adoption of the present resolution and thereafter according to the timetable set by the Committee on measures they have in place to ensure the full and effective implementation of the arms embargo, and with a view to complementing the action taken by the Council pursuant to paragraph 3 above;

9. *Calls upon* all States, in particular those in the region, to provide the Committee with all available information on violations of the arms embargo;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4524th meeting.

Decisions

At its 4565th meeting, held in private on 3 July 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4565th meeting, held in private on 3 July 2002, the Security Council considered the item entitled 'The situation in Somalia'.
>
> "The President, with the consent of the members of the Council, invited Mr. Winston A. Tubman, Representative of the Secretary-General and Head of the United Nations Political Office for Somalia, to participate in the discussion of the item, in accordance with rule 39 of the provisional rules of procedure of the Council.
>
> "The Council heard a briefing by Mr. Tubman.
>
> "The members of the Council and Mr. Tubman had a constructive discussion."

At its 4580th meeting, on 22 July 2002, the Council considered the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2002/709)".

Resolution 1425 (2002)
of 22 July 2002

The Security Council,

Reaffirming its resolutions concerning the situation in Somalia, in particular on the weapons and military equipment embargo established by paragraph 5 of resolution 733 (1992) of 23 January 1992 (hereinafter referred to as the "arms embargo"), resolution 1407 (2002) of 3 May 2002, and the statement by its President of 28 March 2002,[11]

Noting with serious concern the continued flow of weapons and ammunition supplies to and through Somalia from sources outside the country, in contravention of the arms embargo, which is severely undermining peace and security and the political efforts for national reconciliation in Somalia,

Reiterating its call upon all States and other actors to comply scrupulously with the arms embargo and its insistence that States, in particular those of the region, should not interfere in the internal affairs of Somalia; such interference only further destabilizes Somalia, contributes to a climate of fear, impacts adversely on human rights and could jeopardize the sovereignty, territorial integrity, political independence and unity of Somalia,

Underlining the role of the Intergovernmental Authority for Development, in particular the frontline States (Djibouti, Ethiopia and Kenya), in bringing lasting peace to Somalia, and expressing its support and expectation that the planned national reconciliation conference for Somalia, to be held in Nairobi, will move forward as a matter of urgency and with the pragmatic and result-oriented involvement of the frontline States,

Welcoming the report of the Secretary-General of 27 June 2002[15] and the report of the Team of Experts appointed by the Secretary-General,[16] detailing the resources and expertise required for a panel of experts to generate independent information on the violations and for improving the enforcement of the arms embargo, in accordance with resolution 1407 (2002),

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* that the arms embargo on Somalia prohibits financing of all acquisitions and deliveries of weapons and military equipment;

2. *Decides* that the arms embargo prohibits the direct or indirect supply to Somalia of technical advice, financial and other assistance, and training related to military activities;

3. *Requests* the Secretary-General to establish, within one month from the date of adoption of the present resolution, in consultation with the Security Council Committee established pursuant to resolution 751 (1992) of 24 April 1992 (hereinafter referred to as "the Committee"), a panel of experts consisting of three members to be based in Nairobi for a period of six months, in order to generate independent information on violations of the arms embargo and as a step towards giving effect to and strengthening the embargo, with the following mandate:

– Investigating the violations of the arms embargo covering access to Somalia by land, air and sea, in particular by pursuing any sources that might reveal information related to violations, including relevant States, intergovernmental organizations and international law enforcement cooperation bodies, non-governmental organizations, financial institutions and intermediaries, other brokering agencies, civil aviation companies and authorities, members of the Transitional National Government, local authorities, political and traditional leaders, civil society and the business community;

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[15] S/2002/709.

[16] S/2002/722, annex.

– Detailing information in relevant areas of expertise related to violations and measures to give effect to and strengthen the arms embargo in its various aspects;

– Carrying out field based research, where possible, in Somalia, States neighbouring Somalia and other States, as appropriate;

– Assessing the capacity of States in the region to implement fully the arms embargo, including through a review of national customs and border control regimes;

– Providing recommendations on possible practical steps and measures for giving effect to and strengthening the arms embargo;

4. *Also requests* the Secretary-General to ensure that the Panel of Experts comprises, and has access to, sufficient expertise in the areas of armament and financing thereof, civil aviation, maritime transport and regional affairs, including specialized knowledge of Somalia, in accordance with the resource requirements and administrative and financial arrangements outlined in the report of the Team of Experts pursuant to resolution 1407 (2002);

5. *Requests* the Panel of Experts in its work in accordance with its mandate to take fully into account the recommendations provided in the report of the Team of Experts pursuant to resolution 1407 (2002), including regarding cooperative arrangements, methodology and issues related to the strengthening of the arms embargo;

6. *Requests* all States and the Transitional National Government and local authorities in Somalia to cooperate fully with the Panel of Experts in its quest for information in accordance with the present resolution, including by facilitating visits to sites and actors and by providing full access to government officials and records, as required by the Panel of Experts;

7. *Calls again upon* all States, in particular those in the region, to provide the Committee with all available information on violations of the arms embargo;

8. *Urges* all other individuals and entities contacted by the Panel of Experts to cooperate fully by providing relevant information and facilitating its investigations, including political and traditional leaders, members of civil society and the business community, financial institutions and intermediaries, other brokering agencies, civil aviation companies and authorities, non-governmental organizations, intergovernmental organizations and international law enforcement cooperation bodies;

9. *Requests* the Panel of Experts to notify the Council immediately, through the Committee, of any lack of cooperation by the States, authorities, individuals and entities referred to in paragraphs 6 and 8 above;

10. *Also requests* the Panel of Experts to brief the Chairman of the Committee to inform his mission to the region, scheduled for October 2002, and to provide an oral briefing to the Council, through the Committee, in November 2002;

11. *Further requests* the Panel of Experts to submit a final report at the end of its mandated period to the Council, through the Committee, for its consideration;

12. *Requests* the Chairman of the Committee to forward the report of the Panel of Experts, within two weeks of its reception, to the Council for its consideration;

13. *Expresses its determination* to consider the report of the Panel of Experts and any relevant proposals for follow-up action and recommendations on possible practical steps for strengthening the arms embargo;

14. *Requests* the Secretary-General in his next report, which is due on 31 October 2002, to include updates:

– On the activities undertaken to coordinate ongoing peace-building initiatives and to provide for their incremental expansion, and on the preparatory activities undertaken on the ground in preparation for a comprehensive peace-building mission once security conditions permit, in accordance with the statement by it's the President of the Security Council of 28 March 2002;[11]

– On the technical assistance and cooperation provided to enhance the administrative and judicial capacities throughout Somalia to contribute to the monitoring of and giving full effect to the arms embargo, in accordance with the statement by its President of 28 March 2002 and resolution 1407 (2002);

– On the reporting by States to the Committee on measures they have in place to ensure the full and effective implementation of the arms embargo, in accordance with resolution 1407 (2002);

15. *Also requests* the Secretary-General to invite Member States to make contributions to the United Nations Trust Fund for Peace-Building in Somalia, acknowledging any pledges already made, and to ensure proper coordination among the involved United Nations agencies in implementing the tasks to be carried out in accordance with the statement by the President of the Security Council of 28 March 2002;

16. *Calls upon* Member States to come forward with contributions to the United Nations activities in support of Somalia, including the Consolidated Inter-Agency Appeal for 2002;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4580th meeting.

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. The situation in Croatia

[*Resolutions or decisions on this question were also adopted by the Security Council in 1993 and from 1995 to 2000.*]

Decision

At its 4256th meeting, on 12 January 2001, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

> "Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/2000/1251)".

Resolution 1335 (2001)
of 12 January 2001

The Security Council,

Recalling all its relevant resolutions, including resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1088 (1996) of 12 December 1996, 1147 (1998) of 13 January 1998, 1183 (1998) of 15 July 1998, 1222 (1999) of 15 January 1999, 1252 (1999) of 15 July 1999, 1285 (2000) of 13 January 2000, 1305 (2000) of 21 June 2000 and 1307 (2000) of 13 July 2000, *Having considered* the report of the Secretary-General of 29 December 2000 on the United Nations Mission of Observers in Prevlaka,[17]

Recalling the letter dated 22 December 2000 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations addressed to the President of the Security Council[18] and the letter dated 5 January 2001 from the Permanent Representative of Croatia to the United Nations addressed to the President of the Security Council,[19] concerning the disputed issue of Prevlaka,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Noting once again that the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[20] in particular articles 1 and 3, the latter reaffirming their agreement concerning the demilitarization of the Prevlaka peninsula,

Noting with satisfaction that the overall situation in the area of responsibility of the Mission has remained stable and calm,

Reiterating its concern about continuing violations of the demilitarization regime, including limitations placed on the free movement of United Nations military observers,

Noting with satisfaction that the opening of crossing points between Croatia and the Federal Republic of Yugoslavia in the demilitarized zone continues to facilitate civilian and commercial traffic in both directions without security incidents and continues to represent a significant confidence-building measure in the normalization of relations between the two parties, and urging the parties to utilize these openings as a basis for further confidence-building measures to achieve the normalization of relations between them,

Welcoming the commitment of the democratic Governments of Croatia and the Federal Republic of Yugoslavia, as expressed by the Prime Minister of the Federal Government of the Federal Republic of Yugoslavia[18] and the Minister for Foreign Affairs of the Republic of Croatia,[19] to resume as soon as possible bilateral talks on the disputed issue of Prevlaka pursuant to the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996,[21] which would end a long period during which no substantive progress was made on the issue,

Expressing its concern over the delay in putting in place a comprehensive demining programme by the parties,

Commending the role played by the Mission, and noting that the presence of the United Nations military observers continues to be essential to maintaining conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[22] and the statement by its President of 9 February 2000,[23]

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[17] S/2000/1251.

[18] S/2000/1235.

[19] S/2001/13.

[20] S/24476, annex.

[21] See S/1996/706 and S/1996/744.

[22] General Assembly resolution 49/59, annex.

[23] S/PRST/2000/4.

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995,[24] until 15 July 2001;

2. *Reiterates its calls* upon the parties to cease all violations of the demilitarized regime in the United Nations designated zones, to take steps further to reduce tension and to improve safety and security in the area, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement;

3. *Calls upon* the parties to resume talks on the disputed issue of Prevlaka as soon as possible, and encourages them to make use of the recommendations and options to develop confidence-building measures with which they were provided pursuant to its request in resolution 1252 (1999) with a view to, inter alia, further facilitating the freedom of movement of the civilian population, and requests the Secretary-General to report by 15 April 2001;

4. *Urges once again* that the parties abide by their mutual commitments and implement fully the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia,[21] and stresses in particular the urgent need for them to fulfil rapidly and in good faith their commitment to reach a negotiated resolution of the disputed issue of Prevlaka in accordance with article 4 of that Agreement;

5. *Requests* the parties to continue to report at least bimonthly to the Secretary-General on the status of their bilateral negotiations;

6. *Reiterates its call* upon the parties to put a comprehensive demining programme in place in the identified minefields in the area of responsibility of the United Nations Mission of Observers in Prevlaka;

7. *Requests* the United Nations military observers and the multinational Stabilization Force authorized by the Council in resolution 1088 (1996) and extended by resolution 1305 (2000) to cooperate fully with each other;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 4256th meeting.

Decision

At its 4346th meeting, on 11 July 2001, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

> "Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/2001/661)".

Resolution 1362 (2001)
of 11 July 2001

The Security Council,

Recalling all its relevant resolutions, including resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1088 (1996) of 12 December 1996, 1147 (1998) of 13 January

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[24] S/1995/1028.

1998, 1183 (1998) of 15 July 1998, 1222 (1999) of 15 January 1999, 1252 (1999) of 15 July 1999, 1285 (2000) of 13 January 2000, 1307 (2000) of 13 July 2000, 1335 (2001) of 12 January 2001 and 1357 (2001) of 21 June 2001,

Having considered the report of the Secretary-General of 3 July 2001 on the United Nations Mission of Observers in Prevlaka,[25]

Recalling the letter dated 3 July 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations addressed to the President of the Security Council[26] and the letter dated 9 July 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Republic of Croatia to the United Nations addressed to the President of the Security Council,[27] concerning the disputed issue of Prevlaka,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Noting once again the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[20] in particular articles 1 and 3, the latter reaffirming their agreement concerning the demilitarization of the Prevlaka peninsula, and the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996,[21]

Noting with satisfaction that the overall situation in the area of responsibility of the Mission has remained stable and calm despite continuing violations of the demilitarization regime, including limitations placed on the free movement of United Nations military observers,

Noting with satisfaction also that the opening of crossing points between Croatia and the Federal Republic of Yugoslavia in the demilitarized zone continues to facilitate civilian and commercial traffic in both directions without security incidents and continues to represent a significant confidence-building measure in the normalization of relations between the two parties, and urging the parties to utilize these openings as a basis for further confidence-building measures to achieve the normalization of relations between them,

Welcoming the Joint Statement by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia issued in Verbania, Italy, on 8 June 2001,[28] in which they expressed their commitment to normalize the bilateral relations between their countries, with a special emphasis on facilitating the free movement of persons, commodities and ideas, and to implement bilateral agreements already signed,

Commending the role played by the Mission, and noting that the presence of the United Nations military observers continues to be essential to maintaining conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[22] and the statement by its President of 9 February 2000,[23]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December

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[25] S/2001/661.

[26] S/2001/668.

[27] S/2001/680.

[28] S/2001/617, annex.

1995,[24] until 15 January 2002, and requests the Secretary-General to continue to report to the Council where appropriate;

2. *Reiterates its calls* upon the parties to cease all violations of the demilitarized regime in the United Nations designated zones, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement;

3. *Welcomes* the resumption of talks between the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia, and urges the parties to continue their talks with the aim of fulfilling rapidly and in good faith their commitment to a negotiated resolution of the disputed issue of Prevlaka in accordance with article 4 of the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia;[21]

4. *Encourages* the parties to consider all confidence-building measures, including the options provided to them pursuant to resolution 1252 (1999), that could help to facilitate a solution to the disputed issue of Prevlaka;

5. *Requests* the parties to continue to report at least bimonthly to the Secretary-General on the status of their bilateral negotiations;

6. *Requests* the United Nations military observers and the multinational Stabilization Force authorized by the Council in resolution 1088 (1996) and extended by resolution 1357 (2001) to cooperate fully with each other;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 4346th meeting.

Decisions

On 17 September 2001, the President of the Security Council addressed the following letter to the Secretary-General:[29]

> "I have the honour to inform you that your letter dated 10 September 2001 concerning your intention to appoint Colonel Rodolfo Sergio Mujica, of Argentina, as the next Chief Military Observer of the United Nations Mission of Observers in Prevlaka[30] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 4448th meeting, on 15 January 2002, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

> "Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/2002/1)".

Resolution 1387 (2002)
of 15 January 2002

The Security Council,

Recalling all its relevant resolutions, including resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1088 (1996) of 12 December 1996, 1147 (1998) of 13 January 1998, 1183 (1998) of 15 July 1998, 1222 (1999) of 15 January 1999, 1252 (1999) of 15 July 1999, 1285 (2000) of 13 January 2000, 1307 (2000) of 13 July 2000, 1335 (2001) of 12 January 2001, 1357 (2001) of 21 June 2001 and 1362 (2001) of 11 July 2001,

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[29] S/2001/873.

[30] S/2001/872.

Having considered the report of the Secretary-General of 2 January 2002 on the United Nations Mission of Observers in Prevlaka,[31]

Recalling the letter dated 28 December 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations addressed to the President of the Security Council [32]and the letter dated 7 January 2002 from the Permanent Representative of Croatia to the United Nations addressed to the President of the Security Council,[33] concerning the disputed area of Prevlaka,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Noting once again the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[20] in particular articles 1 and 3, the latter reaffirming their agreement concerning the demilitarization of the Prevlaka peninsula, and the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996,[21]

Noting with satisfaction that the overall situation in the area of responsibility of the Mission has remained stable and calm, and encouraged by the agreement of both sides to establish the interstate Border Commission,

Commending the role played by the Mission, and noting that the presence of the United Nations military observers continues to be important in maintaining conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[22] and the statement by its President of 9 February 2000,[23]

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995,[24] until 15 July 2002, and requests the Secretary-General to continue to report to the Council where appropriate;

2. *Reiterates its calls* upon the parties to cease all violations of the demilitarized regime in the United Nations designated zones, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement;

3. *Welcomes* continuing progress in the normalization of relations between the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia and the establishment of the interstate Border Commission, and urges the parties to accelerate efforts towards a negotiated settlement of the disputed issue of Prevlaka in accordance with article 4 of the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia;[21]

4 *Encourages* the parties to consider all confidence-building measures, including the options provided to them pursuant to resolution 1252 (1999), that could help to facilitate a solution to the disputed issue of Prevlaka;

5. *Requests* the parties to continue to report at least bimonthly to the Secretary-General on the status of their bilateral negotiations and on progress in beginning the work of the interstate Border Commission;

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[31] S/2002/1.

[32] S/2001/1301.

[33] S/2002/29.

6. *Requests* the United Nations military observers and the multinational Stabilization Force authorized by the Council in resolution 1088 (1996) and extended by resolution 1357 (2001) to cooperate fully with each other;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 4448th meeting.

Decision

At its 4574th meeting, on 12 July 2002, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

> "Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/2002/713)".

Resolution 1424 (2002)
of 12 July 2002

The Security Council,

Recalling all its relevant resolutions, including resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1088 (1996) of 12 December 1996, 1147 (1998) of 13 January 1998, 1183 (1998) of 15 July 1998, 1222 (1999) of 15 January 1999, 1252 (1999) of 15 July 1999, 1285 (2000) of 13 January 2000, 1307 (2000) of 13 July 2000, 1335 (2001) of 12 January 2001, 1357 (2001) of 21 June 2001, 1362 (2001) of 11 July 2001 and 1387 (2002) of 15 January 2002,

Having considered the report of the Secretary-General of 28 June 2002 on the United Nations Mission of Observers in Prevlaka,[34]

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Noting once again the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[20] in particular articles 1 and 3, the latter reaffirming their agreement concerning the demilitarization of the Prevlaka peninsula, and the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996,[21]

Noting with satisfaction that the overall situation in the area of responsibility of the Mission has remained stable and calm, and encouraged by the progress made by the parties in normalizing their bilateral relationship,

Commending the role played by the Mission, and noting that the presence of the United Nations military observers continues to be important in maintaining conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[22] and the statement by its President of 9 February 2000,[23]

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December

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[34] S/2002/713.

1995,[24] until 15 October 2002, and requests the Secretary-General to report to the Council prior to this date, as appropriate;

2. *Reiterates its calls* upon the parties to cease all violations of the demilitarized regime in the United Nations designated zones, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement;

3. *Welcomes* continuing progress in the normalization of relations between the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia and the establishment of the interstate Border Commission, and urges the parties to accelerate efforts towards a negotiated settlement of the disputed issue of Prevlaka in accordance with article 4 of the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia,[21] and expresses its intention to review the duration of the authority given in paragraph 1 above if the parties inform the Council that a negotiated agreement has been reached as described in section V of the report of the Secretary-General of 28 June 2002;[34]

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 4574th meeting.

B. Items relating to the situation in Kosovo, Federal Republic of Yugoslavia

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

[*Resolutions or decisions on this question were also adopted by the Security Council in 1999 and 2000.*]

Decisions

At its 4258th meeting, on 18 January 2001, the Security Council decided to invite the representatives of Sweden and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4277th meeting, on 13 February 2001, the Council decided to invite the representatives of Sweden and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4286th meeting, held in private on 6 March 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4286th meeting, held in private on 6 March 2001, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.
>
> "In accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council, the President extended invitations to Mr. Zoran Žižić, Prime Minister of the Federal Republic of Yugoslavia, and to

the representatives of Argentina, Bulgaria, Canada, Germany, Greece, Hungary, Italy, Japan, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden and Turkey.

"In accordance with the understanding reached in the Council's prior consultations, and with the consent of the Council, the President extended an invitation to the Permanent Observer of Switzerland to the United Nations to participate in the discussion, without the right to vote.

"In accordance with the understanding reached in the Council's prior consultations, and with the consent of the Council, the President extended an invitation, under rule 39 of the provisional rules of procedure of the Council, to Mr. Richard Wyatt, Chargé d'affaires a.i. of the delegation of the European Commission to the United Nations.

"The members of the Council had a constructive discussion with the Prime Minister of the Federal Republic of Yugoslavia."

At its 4296th meeting, on 16 March 2001, the Council decided to invite the representatives of Albania, Bulgaria, Sweden, the former Yugoslav Republic of Macedonia, Turkey and Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2001/218)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hans Haekkerup, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia.

At its 4298th meeting, on 16 March 2001, the Council considered the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2001/218)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[35]

"The Security Council welcomes the briefing by the Special Representative of the Secretary-General on progress in the implementation of its resolution 1244 (1999) of 10 June 1999.

"The Council commends the Special Representative and the Commander of the Kosovo Force for their ongoing efforts to implement fully resolution 1244 (1999), undertaken under difficult circumstances, and welcomes the priority areas of work identified by the Special Representative.

"The Council welcomes the establishment of a working group, under the authority of the Special Representative, aimed at developing a legal framework for provisional institutions for democratic and autonomous self-government in Kosovo, Federal Republic of Yugoslavia, and stresses the need for all ethnic groups to be represented in the work of this group. It underlines the need to keep the Government of the Federal Republic of Yugoslavia informed of the process. It calls upon all parties to support the efforts of the United Nations

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[35] S/PRST/2001/8.

Interim Administration Mission in Kosovo to build a stable multi-ethnic democratic society in Kosovo and to ensure suitable conditions for Kosovo-wide elections. It stresses the importance of a number of steps being taken for the holding of these elections: the establishment of the legal framework, in particular the definition of the functions and powers of the elected bodies; the development of an integrated voter registry which should include refugees and internally displaced persons; the full involvement of all the communities in the ballot; and a high-security environment for the voting.

"The Council welcomes close contact between the Government of the Federal Republic of Yugoslavia, the Mission and the Force, in particular the steps taken towards the opening of a Mission office in Belgrade, which will facilitate those consultations. It stresses the importance of substantial dialogue between Kosovo's political leaders and the Government of the Federal Republic of Yugoslavia.

"The Council calls for an end to all acts of violence in Kosovo, in particular those which are ethnically motivated, and urges all political leaders in Kosovo to condemn these acts and to increase their efforts to promote inter-ethnic tolerance. It reiterates the importance of resolving the problem of missing persons and detainees and notes that this would be a major confidence-building measure. It welcomes the initial steps taken by the Government of the Federal Republic of Yugoslavia in this regard.

"The Council remains concerned about the security situation in certain municipalities in southern Serbia as a result of the violent actions of ethnic Albanian armed groups. It welcomes the ceasefire agreement signed on 12 March 2001 and calls for strict compliance with the provisions thereof. It stresses that a peaceful settlement of this crisis can be achieved only through substantial dialogue. It commends the continued restraint of the authorities of the Federal Republic of Yugoslavia and Serbia. The Council welcomes the plan of the Government of the Federal Republic of Yugoslavia for southern Serbia and supports its initiative to find a peaceful and durable solution through a process of dialogue and confidence-building measures. It expresses the opinion that the swift implementation of confidence-building measures would be an important element in a peaceful settlement, and underlines the importance of continued political and financial support for this process by the international community.

"The Council welcomes the decision taken by the North Atlantic Treaty Organization to authorize the Commander of the Force to allow the controlled return of forces of the Federal Republic of Yugoslavia to the ground safety zone as defined in the Military-Technical Agreement signed in Kumanovo, the former Yugoslav Republic of Macedonia, on 9 June 1999, referred to in annex II of resolution 1244 (1999), as a first step in a phased and conditioned reduction of the ground safety zone.

"The Council reiterates its strong support for the former Yugoslav Republic of Macedonia as set out in the statement by its President of 7 March 2001.[36] It strongly condemns the continuing extremist violence in parts of the former Yugoslav Republic of Macedonia, supported from outside the country, which constitutes a threat to the stability and security of the entire region, and underlines the importance of maintaining the territorial integrity of the former Yugoslav Republic of Macedonia and all other States in the region. It supports efforts by the Government of the former Yugoslav Republic of Macedonia to cooperate with the North Atlantic Treaty Organization and other international organizations to end this violence in a manner consistent with the rule of law.

"The Council will remain actively seized of the matter."

At its 4309th meeting, on 9 April 2001, the Council decided to invite the representatives of Sweden and Yugoslavia to participate, without vote, in the discussion of the item entitled

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[36] S/PRST/2001/7.

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

On 15 May 2001, the President of the Security Council addressed the following letter to the Secretary-General:[37]

> "I have the honour to inform you that following consultations of the whole, taking into account the views of your Special Representative and Head of the United Nations Interim Administration Mission in Kosovo, Mr. Hans Haekkerup, the members of the Security Council have agreed to dispatch a mission on the implementation of resolution 1244 (1999) to Kosovo, Federal Republic of Yugoslavia, from 15 to 19 June 2001.
>
> "The members of the Council have also agreed on the terms of reference of the Security Council mission (see annex). Mr. Anwarul Karim Chowdhury, Permanent Representative of Bangladesh to the United Nations and President of the Security Council for the month of June 2001, will lead the mission. I shall inform you shortly of the composition of the mission.
>
> "I should be grateful if you would have the Secretariat make all the necessary arrangements to facilitate the work of the mission.
>
> **"Annex**
>
> **"Terms of reference of the Security Council mission to Kosovo**
>
> "To find ways to enhance support for the implementation of resolution 1244 (1999).
>
> "In this context, to observe the operations of the United Nations Interim Administration Mission in Kosovo and the situation on the ground, including difficult challenges faced by the Mission, and report its conclusions to the Security Council.
>
> "In this regard, to look at the impact of the regional situation on the work of the Mission.
>
> "To convey a strong message to local leaders and all others concerned about the need: to reject all violence; to condemn extremist and terrorist activities; to ensure public safety and order; to promote stability, safety and security; to promote inter-ethnic reconciliation and inclusion; to support the full and effective implementation of resolution 1244 (1999); and to cooperate fully with the Mission to these ends.
>
> "To review ongoing implementation of the prohibitions imposed by the Council in its resolution 1160 (1998) of 31 March 1998."

At its 4331st meeting, on 19 June 2001, the Council decided to invite the representative of Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> "Presentation of the report of the Security Council mission to Kosovo, Federal Republic of Yugoslavia".

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[37] S/2001/482.

At its 4335th meeting, on 22 June 2001, the Council decided to invite the representatives of Albania, Sweden and Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2001/565).
> >
> > "Report of the Security Council mission on the implementation of Security Council resolution 1244 (1999) (S/2001/600)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4350th meeting, on 26 July 2001, the Council decided to invite the representatives of Belgium and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4359th meeting, on 28 August 2001, the Council decided to invite the representatives of Belgium, the former Yugoslav Republic of Macedonia and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4387th meeting, on 5 October 2001, the Council decided to invite the representatives of Albania, Belgium and Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2001/926 and Add.1)."

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure to Mr. Hans Haekkerup, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia.

At its 4388th meeting, on 5 October 2001, the Council considered the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2001/926 and Add.1)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[38]

> "The Security Council welcomes the report of the Secretary-General[39] and commends the Special Representative of the Secretary-General and the Commander of the Kosovo Force for their ongoing efforts to implement fully resolution 1244 (1999) of 10 June 1999.
>
> "The Council welcomes the elections to be held on 17 November 2001 as a basis for the establishment of democratic self-governing institutions as specified in the Constitutional Framework for Provisional Self-Government in Kosovo, under which the people of Kosovo, Federal Republic of Yugoslavia, will enjoy substantial autonomy in accordance with resolution 1244 (1999). It emphasizes the responsibility of the elected leaders of Kosovo to respect fully the final status provisions of resolution 1244 (1999). It reaffirms its commitment to the full implementation of resolution 1244 (1999), which remains the basis for building Kosovo's future.
>
> "The Council supports the continuing efforts by the United Nations Interim Administration Mission in Kosovo and the Force to improve public security, including through the confiscation of weapons and the imposition of the package of legislation to combat violence, and to facilitate the return of displaced Serbs and members of other communities. It calls upon Kosovo Albanian leaders to support actively these efforts to promote security and return and to combat extremism, including terrorist activities. It further calls upon all Kosovo leaders to condemn publicly violence and ethnic intolerance. It calls upon them to exert all their influence and assume their responsibility for actively ensuring that the campaign and the elections are peaceful, democratic and inclusive. It stresses the need for proper organization and adequate security for the elections on 17 November 2001 and welcomes continuing steps taken in that regard.
>
> "The Council calls upon all women and men of Kosovo to vote in the elections of 17 November 2001. This will provide for the broadest possible representation of views in the institutions of the provisional self-government. The Council commends the authorities of the Federal Republic of Yugoslavia, particularly President Kostunica, for their encouragement to the Kosovo Serb community to register, which confirms the multi-ethnic character of Kosovo, and also calls upon them to encourage actively the fullest possible participation in the vote. It underlines the importance, for the Kosovo Serb community, to integrate into the structures set up by the Mission. It encourages the further development of a constructive dialogue between the Mission and the authorities of the Federal Republic of Yugoslavia.
>
> "The Council will remain actively seized of the matter."

At its 4409th meeting, on 9 November 2001, the Council decided to invite the representative of Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[40]

> "The Security Council welcomes the progress made in preparing the Kosovo-wide elections of 17 November 2001 and calls upon the Special Representative of the Secretary-General and all parties concerned to continue to strive for full implementation of resolution 1244 (1999) of 10 June 1999. It further calls upon all women and men of Kosovo, Federal Republic of Yugoslavia, to vote.

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[38] S/PRST/2001/27.

[39] S/2001/926 and Add.1.

[40] S/PRST/2001/34.

"The Council welcomes the helpful role played by the President of the Federal Republic of Yugoslavia and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia in recommending Kosovo Serb participation in the elections. Participation will allow them to take part in shaping the multi-ethnic future of Kosovo.

"The Council welcomes the signing on 5 November 2001 of the UNMIK-FRY Common Document by the Special Representative of the Secretary-General and the Special Representative of the President of the Federal Republic of Yugoslavia and the Government of the Federal Republic of Yugoslavia as well as the Government of the Republic of Serbia. This document is consistent with resolution 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo.

"The Council reaffirms the statement by its President of 5 October 2001.[38] It encourages the further development of a constructive dialogue between the United Nations Interim Administration Mission in Kosovo and the authorities of the Federal Republic of Yugoslavia. It emphasizes the responsibility of the provisional institutions of self-government and all concerned to respect fully the final status provisions of resolution 1244 (1999). It underlines its continued commitment to the full implementation of resolution 1244 (1999), which remains the basis for building Kosovo's future."

At its 4430th meeting, on 27 November 2001, the Council decided to invite the representatives of Belgium and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4454th meeting, on 21 January 2002, the Council decided to invite the representatives of Spain, Ukraine and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

On 23 January 2002, the President of the Security Council addressed the following letter to the Secretary-General:[41]

"I have the honour to inform you that your letter dated 21 January 2002 concerning your intention to appoint Mr. Michael Steiner, of Germany, as your Special Representative and Head of the United Nations Interim Administration Mission in Kosovo[42] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4473rd meeting, on 13 February 2002, the Council decided to invite the representative of Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[43]

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[41] S/2002/106.

[42] S/2002/105.

[43] S/PRST/2002/4.

"The Security Council expresses its full support for the Special Representative of the Secretary-General upon his assumption of the position of Head of the United Nations Interim Administration Mission in Kosovo, as well as its appreciation to all the personnel of the Mission for their untiring efforts in ensuring the full implementation of resolution 1244 (1999) of 10 June 1999.

"The Council notes the progress made in the implementation of resolution 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo, including the inauguration of the Kosovo Assembly following the elections on 17 November 2001 in Kosovo, Federal Republic of Yugoslavia. It calls upon the elected representatives of Kosovo to resolve the deadlock over the formation of executive structures of the provisional self-governing institutions and to allow the functioning of those institutions, in accordance with the Constitutional Framework and the outcome of the elections, which expressed the will of the voters. The Council supports the development of cooperation between the Mission, the elected representatives of Kosovo and the authorities in the Federal Republic of Yugoslavia. Such cooperation is vital in implementing resolution 1244 (1999).

"The Council reaffirms the fundamental importance of the rule of law in the political development of Kosovo and condemns any attempt to undermine it. It supports all efforts of the Mission, together with the Kosovo Force and the Kosovo Police Service, to combat all kinds of crime, violence and extremism. It supports the measures taken to bring persons responsible for criminal acts to justice, regardless of ethnic or political background. It calls upon the elected leaders of Kosovo to cooperate fully with the Mission and the Force in promoting the rule of law and a multi-ethnic Kosovo with security and freedom of movement for all."

At its 4475th meeting, held in private on 25 February 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4475th meeting, held in private on 25 February 2002, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.

"In accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council, the President invited the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia and the representatives of Belgium, Hungary, Italy, Spain, Ukraine and Yugoslavia to participate in this meeting.

"The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council, the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia, the representatives of Spain (on behalf of the European Union and associated States) and Yugoslavia, and the Assistant Secretary-General for Peacekeeping Operations had a constructive discussion."

At its 4498th meeting, on 27 March 2002, the Council decided to invite the representatives of Spain and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4518th meeting, on 24 April 2002, the Council decided to invite the representatives of Albania, Spain, Ukraine and Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
>> "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2002/436)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Michael Steiner, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia.

At its 4519th meeting, on 24 April 2002, the Council considered the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999).
>
>> "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2002/436)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[44]

> "The Security Council welcomes the report of the Secretary-General[45] and the briefing by the Special Representative of the Secretary-General, and supports all efforts by the United Nations Interim Administration in Kosovo and the Kosovo Force to implement fully resolution 1244 (1999) of 10 June 1999, which remains the basis for building Kosovo's future.
>
> "The Council welcomes progress made in the formation of the executive bodies of the provisional institutions of self-government in Kosovo, Federal Republic of Yugoslavia, to include representatives of all communities. It commends the efforts of the Special Representative and welcomes the priorities outlined in the report of the Secretary-General as well as his request to develop benchmarks to measure progress in the institutional development of Kosovo, consistent with resolution 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo. The Council encourages the provisional institutions, in full cooperation with the Special Representative and in strict compliance with resolution 1244 (1999), to take on the tasks assigned to them by the Constitutional Framework.
>
> "The Council reaffirms the fundamental importance of the rule of law in the political development of Kosovo. It strongly condemns the attacks against Mission police in Mitrovica on 8 April 2002 and calls upon all communities fully to respect the authority of the Mission throughout Kosovo, in line with resolution 1244 (1999). It supports the continuing efforts of the Mission and the Force, together with the Kosovo Police Service, in combating all kinds of crime, violence and extremism. It supports all efforts to control borders and boundaries, thus fostering regional stability. The Council supports and encourages further efforts to facilitate the return of all displaced persons from the Kosovo Serb and other communities. Interlocking progress in the areas of public security, political development and economic reform and reconstruction contributes to sustainable returns and requires maximum support from Member States and regional organizations. The Council

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[44] S/PRST/2002/11.

[45] S/2002/436.

calls upon the leaders of the provisional institutions of self-government actively to demonstrate their commitment and support efforts to promote security, returns, human rights, economic development and a multiethnic and fair society, with peaceful co-existence and freedom of movement for all the population of Kosovo.

"The Council welcomes the decision of the Government of the Federal Republic of Yugoslavia to transfer Kosovo Albanian prisoners into the custody of the Mission and encourages further progress regarding the return of displaced persons to Kosovo and efforts to trace those still missing from all communities of Kosovo as well as the other issues identified in the UNMIK-FRY Common Document for cooperation between the Mission and the authorities of the Federal Republic of Yugoslavia signed on 5 November 2001. The Council considers that the further development of dialogue and cooperation between the provisional institutions of self-government, the Mission and the authorities of the Federal Republic of Yugoslavia is vital to the full and effective implementation of resolution 1244 (1999).

"The Council will remain actively seized of the matter."

At its 4533rd meeting, on 16 May 2002, the Council decided to invite the representative of Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4543rd meeting, on 24 May 2002, the Council decided to invite the representatives of Germany, Italy, the former Yugoslav Republic of Macedonia and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[46]

"The Security Council reaffirms its relevant resolutions and statements regarding Kosovo, Federal Republic of Yugoslavia, in particular the statements by its President of 7 March[36] and 9 November 2001.[40]

"The Council deplores the adoption by the Assembly of Kosovo, in its session of 23 May 2002, of a 'resolution on the protection of the territorial integrity of Kosovo'. It concurs with the Special Representative of the Secretary-General that such resolutions and decisions by the Assembly on matters which do not fall within its field of competence are null and void.

"The Council calls upon the elected leaders of Kosovo to focus their attention on the urgent matters for which they have responsibility, in accordance with resolution 1244 (1999) of 10 June 1999 and the Constitutional Framework for Provisional Self-Government in Kosovo. Concrete progress in those areas is of paramount importance to improve the life of the people.

"The Council reiterates its full support for the Special Representative. It urges Kosovo's leaders to work in close cooperation with the United Nations Interim Administration Mission in Kosovo and the Kosovo Force, with a view to promoting a better future for Kosovo and stability in the region. All steps undermining those efforts are detrimental to this common objective."

At its 4559th meeting, on 26 June 2002, the Council decided to invite the representatives of Spain and Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

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[46] S/PRST/2002/16.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4592nd meeting, on 30 July 2002, the Council decided to invite the representatives of Albania, Denmark, the former Yugoslav Republic of Macedonia, Ukraine and Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999).
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2002/779)."

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Michael Steiner, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia.

Security Council resolution 1160 (1998) of 31 March 1998

Decision

At its 4366th meeting, on 10 September 2001, the Security Council decided to invite the representative of Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolution 1160 (1998) of 31 March 1998".

Resolution 1367 (2001)
of 10 September 2001

The Security Council,

Recalling its resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998, 1203 (1998) of 24 October 1998, and reaffirming, in particular, its resolutions 1244 (1999) of 10 June 1999 and 1345 (2001) of 21 March 2001,

Noting with satisfaction that the conditions listed in paragraphs 16 (*a*) to (*e*) of resolution 1160 (1998) have been satisfied,

Taking note, in that respect, of the letter dated 6 September 2001 from the Secretary-General,[47]

Noting the difficult security situation along the administrative boundary of Kosovo and parts of the border of the Federal Republic of Yugoslavia, and emphasizing the continuing authority of the Special Representative of the Secretary-General as head of the international civil presence and of the Commander of the Kosovo Force to restrict and strictly control the flow of arms into, within and out of Kosovo, pursuant to resolution 1244 (1999),

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate the prohibitions imposed by paragraph 8 of resolution 1160 (1998);

2. *Decides also* to dissolve the Security Council Committee established pursuant to paragraph 9 of resolution 1160 (1998).

Adopted unanimously at the 4366th meeting.

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[47] S/2001/849.

Briefing by His Excellency Mr. Nebojša Čović, Deputy Prime Minister of Serbia, Federal Republic of Yugoslavia

Decision

At its 4373rd meeting, held in private on 17 September 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4373rd meeting, held in private on 17 September 2001, the Security Council considered the item entitled 'Briefing by His Excellency Mr. Nebojša Čović, Deputy Prime Minister of Serbia, Federal Republic of Yugoslavia'.
>
> "In accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council, the President extended an invitation to Mr. Nebojša Čović, Deputy Prime Minister of Serbia, Federal Republic of Yugoslavia.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of its provisional rules of procedure to Mr. Hans Haekkerup, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.
>
> "The members of the Council had a constructive interactive discussion with the Deputy Prime Minister of Serbia, Federal Republic of Yugoslavia, and the Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo."

C. Briefing by Mr. Carl Bildt, Special Envoy of the Secretary-General for the Balkans

[*Resolutions or decisions on this question were also adopted by the Security Council in 2000.*]

Decision

On 6 March 2001, the President of the Security Council addressed the following letter to the Secretary-General:[48]

> "I have the honour to inform you that your letter dated 1 March 2001 concerning your request that Mr. Carl Bildt and Mr. Eduard Kukan continue their efforts as your Special Envoys for the Balkans until mid-year, and beyond if required,[49] has been brought to the attention of the members of the Security Council. They take note of the request contained in your letter."

D. Letter dated 4 March 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council

Decisions

At its 4289th meeting, on 7 March 2001, the Security Council decided to invite the representatives of Albania, Bulgaria, Croatia, Greece, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Turkey and Yugoslavia to participate, without vote, in the discussion of the item entitled "Letter dated 4 March 2001 from the Permanent Representative of the former

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[48] S/2001/195.

[49] S/2001/194.

Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council (S/2001/191)".

At the 4290th meeting, on 7 March 2001, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[36]

> "The Security Council welcomes the participation of the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia in its meeting on 7 March 2001 and has carefully listened to him.
>
> "The Council strongly condemns recent violence by ethnic Albanian armed extremists in the north of the former Yugoslav Republic of Macedonia, in particular the killing of three soldiers of the armed forces of that country in the area of Tanusevci. The Council regrets that the violence continues and calls for an immediate end to it.
>
> "The Council expresses its deep concern at those events, which constitute a threat to the stability and security not only of the former Yugoslav Republic of Macedonia but also of the entire region. It calls upon all political leaders in the former Yugoslav Republic of Macedonia and Kosovo, Federal Republic of Yugoslavia, who are in a position to do so to isolate the forces behind the violent incidents and to shoulder their responsibility for peace and stability in the region.
>
> "The Council underlines the responsibility of the Government of the former Yugoslav Republic of Macedonia for the rule of law in its territory. It supports actions by the Government of the former Yugoslav Republic of Macedonia to address the violence with an appropriate level of restraint and to preserve the political stability of the country and foster harmony between all ethnic components of the population.
>
> "The Council recalls the need to respect the sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia. In this context it emphasizes that the border demarcation agreement, signed in Skopje on 23 February 2001 and ratified by the Parliament of the former Yugoslav Republic of Macedonia on 1 March 2001, must be respected by all.
>
> "The Council welcomes the steps taken by the Kosovo Force to control the border between Kosovo, Federal Republic of Yugoslavia, and the former Yugoslav Republic of Macedonia in accordance with the Military-Technical Agreement signed in Kumanovo, the former Yugoslav Republic of Macedonia, on 9 June 1999. It also welcomes the ongoing dialogue between the Government of the former Yugoslav Republic of Macedonia and the Force on practical steps to address the immediate security situation and to prevent crossing of the border by extremists as well as possible violations of resolution 1160 (1998) of 31 March 1998. It welcomes the efforts of all relevant international organizations in cooperation with the Government of the former Yugoslav Republic of Macedonia to promote stability and to create conditions for a return of the inhabitants to their homes.
>
> "The Council will continue to follow the developments on the ground closely, and requests to be briefed regularly on the outcome of the efforts referred to above."

At the 4301st meeting, on 21 March 2001, the Council considered the item entitled "Letter dated 4 March 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council (S/2001/191)".

Resolution 1345 (2001)
of 21 March 2001

The Security Council,

Recalling its resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998, 1203 (1998) of 24 October 1998, 1239 (1999) of 14 May 1999 and 1244 (1999) of 10 June 1999 and the statements by its President of 19 December 2000[30] and 7 [36] and 16 March 2001,[35]

Welcoming the steps taken by the Government of the former Yugoslav Republic of Macedonia to consolidate a multi-ethnic society within its borders, and expressing its full support for the further development of this process,

Welcoming also the plan put forward by the Government of the Federal Republic of Yugoslavia to resolve peacefully the crisis in certain municipalities in southern Serbia, and expressing encouragement for the implementation of political and economic reforms designed to reintegrate the ethnic Albanian population as full members of civil society,

Welcoming further international efforts, including those of the United Nations Interim Administration Mission in Kosovo, the Kosovo Force, the European Union, the North Atlantic Treaty Organization and the Organization for Security and Cooperation in Europe, in cooperation with the Governments of the former Yugoslav Republic of Macedonia, the Federal Republic of Yugoslavia and other States, to prevent the escalation of ethnic tensions in the area,

Welcoming the contribution of the European Union to a peaceful solution to the problems in certain municipalities in southern Serbia, its decision substantially to increase the presence of the European Union Monitoring Mission there on the basis of its existing mandate, and its wider contribution to the region,

Welcoming also the cooperation between the North Atlantic Treaty Organization and the authorities of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia in addressing the security problems in parts of the former Yugoslav Republic of Macedonia and certain municipalities in southern Serbia,

1. *Strongly condemns* extremist violence, including terrorist activities, in certain parts of the former Yugoslav Republic of Macedonia and certain municipalities in southern Serbia, Federal Republic of Yugoslavia, and notes that such violence has support from ethnic Albanian extremists outside these areas and constitutes a threat to the security and stability of the wider region;

2. *Reaffirms its commitment* to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, the former Yugoslav Republic of Macedonia and the other States of the region, as set out in the Final Act of the Conference on Security and Cooperation in Europe, signed at Helsinki on 1 August 1975;

3. *Reiterates its strong support* for the full implementation of resolution 1244 (1999);

4. *Demands* that all those who are currently engaged in armed action against the authorities of those States immediately cease all such action, lay down their weapons and return to their homes;

5. *Supports* the Governments of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia in their efforts to end the violence in a manner consistent with the rule of law;

6. *Underlines* the need for all differences to be resolved by dialogue among all legitimate parties;

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[30] S/PRST/2000/40.

7. *Underlines also* the requirement for all parties to act with restraint and full respect for international humanitarian law and human rights;

8. *Welcomes* the efforts of the Government of Albania to promote peace in the region and isolate extremists working against peace, and encourages it and all States to take all possible concrete steps to prevent support for extremists, also taking into account resolution 1160 (1998);

9. *Calls upon* Kosovo Albanian political leaders, and leaders of the ethnic Albanian communities in the former Yugoslav Republic of Macedonia, southern Serbia and elsewhere, publicly to condemn violence and ethnic intolerance and to use their influence to secure peace, and calls upon all those who have contact with the extremist armed groups to make clear that they have no support from any quarter in the international community;

10. *Welcomes* the efforts of the Kosovo Force to implement resolution 1244 (1999) in cooperation with the authorities of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia, and calls upon the Force to continue further to strengthen its efforts to prevent unauthorized movement and illegal arms shipments across borders and boundaries in the region, to confiscate weapons within Kosovo, Federal Republic of Yugoslavia, and to continue to keep the Council informed in accordance with resolution 1160 (1998);

11. *Calls upon* States and appropriate international organizations to consider how they can best give practical help to efforts in the region further to strengthen democratic, multi-ethnic societies in the interest of all and to assist the return of displaced persons in the areas in question;

12. *Calls upon* all States in the region to respect each other's territorial integrity and to cooperate on measures that foster stability and promote regional political and economic cooperation in accordance with the Charter of the United Nations, the basic principles of the Organization for Security and Cooperation in Europe and the Stability Pact for South East Europe adopted at Cologne, Germany, on 10 June 1999;

13. *Decides* to monitor developments on the ground carefully and remain actively seized of the matter.

Adopted unanimously at the 4301st meeting.

E. The situation in Bosnia and Herzegovina

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.*]

Decisions

At its 4303rd meeting, on 22 March 2001, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Sweden and Yugoslavia to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Briefing by Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

At the 4304th meeting, on 22 March 2001, the Council considered the item entitled "The situation in Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[51]

> "The Security Council welcomes the briefing by the High Representative for the implementation of the General Framework Agreement on Peace in Bosnia and Herzegovina and the annexes thereto (collectively the 'Peace Agreement')[52] on the situation in Bosnia and Herzegovina and commends his efforts in implementing this agreement.
>
> "The Council encourages further regional political and economic cooperation, in compliance with the principles of the sovereignty and territorial integrity and the inviolability of the borders of Bosnia and Herzegovina and the other States of the region.
>
> "The Council welcomes the new State-level and entity-level governments formed after the general elections of 11 November 2000 and calls upon them to take active measures to make further progress on the return of refugees, consolidation of the state institutions, and economic reform. It welcomes the progress on creating a State-level defence identity, in full compliance with the relevant provisions of the Peace Agreement, and encourages the Presidency of Bosnia and Herzegovina to finalize the unresolved details without delay.
>
> "The Council welcomes the establishment of constitutional commissions to protect the vital interest of the constituent peoples to facilitate the implementation of the 'Constituent Peoples decision' of the Constitutional Court of Bosnia and Herzegovina of 1 July 2000, and calls upon the entity parliaments to engage in the debate about the necessary amendments to their respective constitutions in the light of proposals examined by the constitutional commissions.
>
> "The Council notes the recent conclusion of the Agreement on a special relationship between the Federal Republic of Yugoslavia and the Republika Srpska and urges the High Representative to monitor the implementation thereof and any amendments thereto, in order to ensure that it remains consistent with the territorial integrity and sovereignty of Bosnia and Herzegovina as a whole and with the Peace Agreement.
>
> "The Council condemns recent unilateral moves by the so-called Croat national congress to establish Croat self-rule in open contradiction of the provisions of the Peace Agreement, and calls upon all parties to work within the legal institutions and constitutional framework of Bosnia and Herzegovina and the entities. It expresses its support for the High Representative in taking actions against persons holding public office who are found to be in violation of legal commitments made under the Peace Agreement or the terms for its implementation.
>
> "The Council welcomes the progress made on the return of refugees and property law implementation in 2000, but remains concerned at the slow pace of refugee return, particularly in urban areas. The Council insists on the responsibility of the local authorities to accelerate the rate of return and property law implementation.
>
> "The Council urges all political parties in Bosnia and Herzegovina and their respective leaders to engage constructively within the legal institutions of that country in order to implement fully the Peace Agreement."

At its 4330th meeting, on 15 June 2001, the Council decided to invite the representatives of Bosnia and Herzegovina, Sweden and Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "The situation in Bosnia and Herzegovina
>
> > "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2001/571)".

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[51] S/PRST/2001/11.

[52] S/1995/999, annex.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

At its 4333rd meeting, on 21 June 2001, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2001/571)".

Resolution 1357 (2001)
of 21 June 2001

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995, 1035 (1995) of 21 December 1995, 1088 (1996) of 12 December 1996, 1144 (1997) of 19 December 1997, 1168 (1998) of 21 May 1998, 1174 (1998) of 15 June 1998, 1184 (1998) of 16 July 1998, 1247 (1999) of 18 June 1999, and 1305 (2000) of 21 June 2000,

Reaffirming its commitment to a political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to supporting the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[52]

Emphasizing its appreciation to the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, the Commander and personnel of the multinational Stabilization Force, the Special Representative of the Secretary-General and the personnel of the United Nations Mission in Bosnia and Herzegovina, including the Commissioner and personnel of the International Police Task Force, the Organization for Security and Cooperation in Europe, and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Noting that the States in the region must play a constructive role in the successful development of the peace process in Bosnia and Herzegovina, and noting especially the obligations of the Republic of Croatia and the Federal Republic of Yugoslavia in this regard as signatories to the Peace Agreement,

Welcoming, in this regard, the positive steps taken by the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia to strengthen their bilateral relations with Bosnia and Herzegovina, as well as their increasing cooperation with all relevant international organizations in implementing the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Taking note of the reports of the High Representative, including his latest report of 12 March 2001,[53]

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[53] See S/2001/219

Having considered the report of the Secretary-General of 7 June 2001,[54] and welcoming the mandate implementation plan of the Mission,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[22] and the statement by its President of 9 February 2000,[23]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Acting under Chapter VII of the Charter,

I

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[52] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[55] calls upon the parties to comply strictly with their obligations under those Agreements, and expresses its intention to keep the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under review;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Council, including the International Tribunal, as it carries out its responsibilities for dispensing justice impartially, and underlines the fact that full cooperation by States and entities with the International Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions

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[54] S/2001/571 and Corr.1.

[55] S/1995/1021, annex.

as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Recognizes* that the parties have authorized the multinational force referred to in paragraph 10 below to take such actions as required, including the use of necessary force, to ensure compliance with annex 1-A of the Peace Agreement;

7. *Reaffirms its intention* to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 25 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. *Pays tribute* to those Member States which participated in the multinational Stabilization Force established in accordance with resolution 1088 (1996), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational Force;

9. *Notes* the support of the parties to the Peace Agreement for the continuation of the Force, set out in the declaration of the ministerial meeting of the Peace Implementation Council in Madrid on 16 December 1998;[56]

10. *Authorizes* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue for a further planned period of twelve months the Force as established in accordance with resolution 1088 (1996) under unified command and control in order to fulfil the role specified in annexes 1-A and 2 of the Peace Agreement, and expresses its intention to review the situation with a view to extending this authorization further as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

11. *Also authorizes* the Member States acting under paragraph 10 above to take all necessary measures to effect the implementation of and to ensure compliance with annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that annex and shall be equally subject to such enforcement action by the Force as may be necessary to ensure implementation of that annex and the protection of the Force, and notes that the parties have consented to the Force taking such measures;

12. *Authorizes* Member States to take all necessary measures, at the request of the Force, either in defence of the Force or to assist the Force in carrying out its mission, and recognizes the right of the Force to take all necessary measures to defend itself from attack or threat of attack;

13. *Authorizes* the Member States acting under paragraph 10 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures established by the Commander of Force governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

14. *Requests* the authorities in Bosnia and Herzegovina to cooperate with the Commander of the Force to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on the Force by annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

15. *Demands* that the parties respect the security and freedom of movement of the Force and other international personnel;

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[56] S/1999/139, appendix.

16. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 10 above;

17. *Recalls* all the agreements concerning the status of forces as referred to in appendix B to annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

18. *Requests* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue to report to the Council, through the appropriate channels and at least at monthly intervals;

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* *

Reaffirming the legal basis in the Charter of the United Nations on which the International Police Task Force was given its mandate in resolution 1035 (1995),

III

19. *Decides* to extend the mandate of United Nations Mission in Bosnia and Herzegovina, which includes the International Police Task Force, for an additional period terminating on 21 June 2002, and decides also that the Task Force shall continue to be entrusted with the tasks set out in annex 11 of the Peace Agreement, including the tasks referred to in the conclusions of the London,[57] Bonn,[58] Luxembourg, [59] Madrid[56] and Brussels[60] Peace Implementation Conferences and agreed by the authorities in Bosnia and Herzegovina;

20. *Requests* the Secretary-General to keep the Council regularly informed and to report at least every six months on the implementation of the mandate of the Mission as a whole;

21. *Reiterates* that the successful implementation of the tasks of the International Police Task Force rests on the quality, experience and professional skills of its personnel, and once again urges Member States, with the support of the Secretary-General, to ensure the provision of such qualified personnel;

22. *Reaffirms* the responsibility of the parties to cooperate fully with, and to instruct their respective responsible officials and authorities to provide their full support to the International Police Task Force on all relevant matters;

23. *Reiterates its call* upon all concerned to ensure the closest possible coordination between the High Representative, the Stabilization Force, the Mission and the relevant civilian organizations and agencies so as to ensure the successful implementation of the Peace Agreement and of the priority objectives of the civilian consolidation plan, as well as the security of International Police Task Force personnel;

24. *Urges* Member States, in response to demonstrable progress by the parties in restructuring their law enforcement institutions, to intensify their efforts to provide, on a voluntary-funded basis and in coordination with the International Police Task Force, training, equipment and related assistance for local police forces in Bosnia and Herzegovina;

25. *Requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996, and later Peace

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[57] See S/1996/1012, annex.

[58] See S/1997/979, annex.

[59] See S/1998/498, annex.

[60] See S/2000/586, annex.

Implementation Conferences, on the implementation of the Peace Agreement, in particular, on compliance by the parties with their commitments under that Agreement;

26. *Decides* to remain seized of the matter.

Adopted unanimously at the 4333rd meeting.

Decisions

At its 4379th meeting, on 21 September 2001, the Security Council decided to invite the representatives of Belgium and Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 14 September 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/868)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, and Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

At its 4433rd meeting, on 5 December 2001, the Council decided to invite the representatives of Belgium and Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2001/1132 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4484th meeting, on 5 March 2002, the Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Spain, Ukraine and Yugoslavia to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 26 February 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/209)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, and Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

At the same meeting, in response to the request dated 1 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the President of the Security Council,[61] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Javier Solana, Secretary-General of the Council of the European Union and High Representative for Foreign Policy and Common Security.

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[61] Document S/2002/218, incorporated in the record of the 4484th meeting

Resolution 1396 (2002)
of 5 March 2002

The Security Council,

Recalling all its relevant resolutions, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1112 (1997) of 12 June 1997, 1256 (1999) of 3 August 1999 and 1357 (2001) of 21 June 2001,

Recalling also the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[52] and the conclusions of the Peace Implementation Conferences held in Bonn on 9 and 10 December 1997,[58] Madrid on 16 and 17 December 1998[56] and Brussels on 23 and 24 May 2000,[60]

Welcoming the conclusions of the Steering Board of the Peace Implementation Council of 28 February 2002[62] as well as the conclusions of the General Affairs Council of the European Union of 18 February 2002,[63]

Expressing its appreciation to the Secretary-General, his Special Representative and the personnel of the United Nations Mission in Bosnia and Herzegovina, which includes the International Police Task Force, for their contributions to the implementation of the Peace Agreement and preparations for the efficient transition to the follow-on to the Mission,

1. *Welcomes and agrees* to the designation by the Steering Board of the Peace Implementation Council of 28 February 2002 of Lord Ashdown as High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, in succession to Mr. Wolfgang Petritsch;

2. *Expresses its appreciation* to Mr. Wolfgang Petritsch for his achievements as the High Representative;

3. *Welcomes* the acceptance by the Steering Board of the Peace Implementation Council on 28 February 2002 of the offer made by the European Union to provide a European Union police mission from 1 January 2003, to follow the end of the mandate of the United Nations Mission in Bosnia and Herzegovina as part of a coordinated rule of law programme, and the intention of the European Union also to invite non-States that are not members of the European Union to participate in the police mission;

4. *Encourages* coordination between the Mission, the European Union and the High Representative in order to ensure a seamless transition of responsibilities from the International Police Task Force to the European Union police mission;

5. *Welcomes* the conclusions of the Steering Board of the Peace Implementation Council of 28 February 2002 concerning the streamlining of the international civilian implementation effort in Bosnia and Herzegovina;[62]

6. *Reaffirms* the importance it attaches to the role of the High Representative in pursuing the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement")[52] and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement;

7. *Reaffirms also* the final authority of the High Representative in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 4484th meeting.

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[62] See S/2002/230.

[63] S/2002/212, annex.

Decisions

On 7 May 2002, the President of the Security Council addressed the following letter to the Secretary-General:[64]

> "I have the honour to inform you that your letter dated 2 May 2002 concerning your intention to appoint Mr. Sven Christian Frederiksen, of Denmark, as Commissioner of the United Nations Mission in Bosnia and Herzegovina International Police Task Force[65] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4555th meeting, on 19 June 2002, the Security Council considered the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2002/618)."

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

At its 4558th meeting, on 21 June 2002, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2002/618)."

Resolution 1418 (2002)
of 21 June 2002

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia, in particular resolution 1357 (2001) of 21 June 2001,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 1357 (2001) shall continue in force until 30 June 2002;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 4558th meeting.

Decisions

At its 4563rd meeting, on 30 June 2002, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Germany and Italy to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2002/618)."

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[64] S/2002/530.

[65] S/2002/529.

At its 4564th meeting, on 30 June 2002, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2002/618)."

Resolution 1420 (2002)
of 30 June 2002

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia, in particular resolutions 1357 (2001) of 21 June 2001 and 1418 (2002) of 21 June 2002,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 1357 (2001) shall continue in force until 3 July 2002;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 4564th meeting.

Decision

At its 4566th meeting, on 3 July 2002, the Security Council considered the item entitled "The situation in Bosnia and Herzegovina".

Resolution 1421 (2002)
of 3 July 2002

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia, in particular resolutions 1357 (2001) of 21 June 2001, 1418 (2002) of 21 June 2002 and 1420 (2002) of 30 June 2002,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 1357 (2001) shall continue in force until 15 July 2002;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 4566th meeting.

Decisions

At its 4568th meeting, on 10 July 2002, the Security Council decided to invite the representatives of Argentina, Bosnia and Herzegovina, Brazil, Canada, Costa Rica, Croatia, Denmark, Fiji, Germany, India, the Islamic Republic of Iran, Jordan, Liechtenstein, Malaysia, Mongolia, New Zealand, Samoa, Sierra Leone, South Africa, Thailand, Ukraine and Venezuela to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 3 July 2002 from the Permanent Representative of Canada to the United Nations addressed to the President of the Security Council (S/2002/723)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Switzerland to the United Nations to participate in the discussion of the item, without the right to vote.

Upon resumption of the meeting, on 10 July 2002, the Council further decided to invite the representatives of Cuba and Yugoslavia to participate, without vote, in the discussion of the item.

At its 4573rd meeting, on 12 July 2002, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

Resolution 1423 (2002)
of 12 July 2002

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995, 1035 (1995) of 21 December 1995, 1088 (1996) of 12 December 1996, 1144 (1997) of 19 December 1997, 1168 (1998) of 21 May 1998, 1174 (1998) of 15 June 1998, 1184 (1998) of 16 July 1998, 1247 (1999) of 18 June 1999, 1305 (2000) of 21 June 2000, 1357 (2001) of 21 June 2001, and 1396 (2002) of 5 March 2002,

Reaffirming its commitment to a political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Welcoming the arrival in Bosnia and Herzegovina on 27 May 2002 of the new High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, looking forward to working closely with him, and emphasizing its full support for continued role of the High Representative,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the Peace Agreement),[52] as well as the relevant decisions of the Peace Implementation Council,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational Stabilization Force, the Special Representative of the Secretary-General and the personnel of the United Nations Mission in Bosnia and Herzegovina, including the Commissioner and personnel of the International Police Task Force, the Organization for Security and Cooperation in Europe, and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Welcoming the decision by the Council of Europe inviting Bosnia and Herzegovina to become a member, and expressing its understanding that Bosnia and Herzegovina will commit itself to make progress towards fully meeting the standards of a modern democracy as a multi-ethnic, multicultural and united society,

Welcoming also recent progress in effecting the decision of the Constitutional Court, and calling upon all to support swift implementation of constitutional amendments in both entities of Bosnia and Herzegovina, which is critical to the establishment of stable democratic and multi-ethnic political and administrative institutions necessary for the implementation of the Peace Agreement,

Welcoming further the positive steps of the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia towards fulfilling their continuing obligations as signatories of the Peace Agreement, strengthening their bilateral relations with Bosnia and Herzegovina and their increasing cooperation with all relevant international organizations in implementing the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council, *Taking note* of the reports of the High Representative, including his latest report of 13 May 2002,[66]

Having considered the report of the Secretary-General of 5 June 2002,[67] and welcoming the mandate implementation plan of the Mission,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[22] and the statement by its President of 9 February 2000,[23]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Acting under Chapter VII of the Charter,

I

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the Peace Agreement),[52] as well as for the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[55] calls upon the parties to comply strictly with their obligations under those Agreements, and expresses its intention to keep the implementation of the Peace Agreement, and the situation in Bosnia and Herzegovina, under review;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions which foster the building of a fully functioning self-sustaining state able to integrate itself into the European structures and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Council, including the International Tribunal, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace

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[66] See S/2002/547.

[67] S/2002/618.

Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Recognizes* that the parties have authorized the multinational force referred to in paragraph 10 below to take such actions as required, including the use of necessary force, to ensure compliance with annex 1-A of the Peace Agreement;

7. *Reaffirms its intention* to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 25 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. *Pays tribute* to those Member States which participated in the multinational Stabilization Force established in accordance with resolution 1088 (1996), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force;

9. *Notes* the support of the parties to the Peace Agreement for the continuation of the Force, set out in the declaration of the ministerial meeting of the Peace Implementation Council in Madrid on 16 December 1998;[56]

10. *Authorizes* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue for a further planned period of twelve months the Force as established in accordance with resolution 1088 (1996) under unified command and control in order to fulfil the role specified in annexes 1-A and 2 of the Peace Agreement, and expresses its intention to review the situation with a view to extending this authorization further as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

11. *Also authorizes* the Member States acting under paragraph 10 above to take all necessary measures to effect the implementation of and to ensure compliance with annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that annex and shall be equally subject to such enforcement action by the Force as may be necessary to ensure implementation of that annex and the protection of the Force, and takes note that the parties have consented to the Force taking such measures;

12. *Further authorizes* Member States to take all necessary measures, at the request of the Force, either in defence of the Force or to assist the Force in carrying out its mission, and recognizes the right of the Force to take all necessary measures to defend itself from attack or threat of attack;

13. *Authorizes* the Member States acting under paragraph 10 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures established by the Commander of the Force, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

14. *Requests* the authorities in Bosnia and Herzegovina to cooperate with the Commander of the Force to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on the Force by annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

15. *Demands* that the parties respect the security and freedom of movement of the Force and other international personnel;

16. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 10 above;

17. *Recalls* all the agreements concerning the status of forces as referred to in appendix B to annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

18. *Requests* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue to report to the Council, through the appropriate channels and at least at monthly intervals;

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* *

Reaffirming the legal basis in the Charter of the United Nations on which the International Police Task Force was given its mandate in resolution 1035 (1995),

III

19. *Decides* to extend the mandate of the United Nations Mission in Bosnia and Herzegovina, which includes the International Police Task Force, for an additional period terminating on 31 December 2002, and decides also that, during that period, the Task Force shall continue to be entrusted with the tasks set out in annex 11 of the Peace Agreement, including the tasks referred to in the conclusions of the London,[57] Bonn,[58] Luxembourg,[59] Madrid[56] and Brussels[60] Conferences and agreed by the authorities in Bosnia and Herzegovina;

20. *Welcomes* the decision of the European Union to send a police mission to Bosnia and Herzegovina from 1 January 2003 as well as the close coordination between the European Union, the Mission and the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina to ensure a seamless transition, and the invitation of the European Union to States that are not members of the European Union to participate in the police mission;

21. *Requests* the Secretary-General to keep the Council regularly informed and to report in six months on the implementation of the mandate of the Mission as a whole;

22. *Reiterates* that the successful implementation of the tasks of the International Police Task Force rests on the quality, experience and professional skills of its personnel, and once again urges Member States, with the support of the Secretary-General, to ensure the provision of such qualified personnel;

23. *Reaffirms* the responsibility of the parties to cooperate fully with, and to instruct their respective responsible officials and authorities to provide their full support to, the International Police Task Force on all relevant matters;

24. *Reiterates its call* upon all concerned to ensure the closest possible coordination between the High Representative, the Stabilization Force, the Mission and the relevant civilian organizations and agencies so as to ensure the successful implementation of the Peace Agreement and of the priority objectives of the civilian consolidation plan, as well as the security of personnel of the International Police Task Force;

25. *Urges* Member States, in response to demonstrable progress by the parties in restructuring their law enforcement institutions, to intensify their efforts to provide, on a voluntary-funded basis and in coordination with the International Police Task Force, training, equipment and related assistance for local police forces in Bosnia and Herzegovina;

26. *Requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996, and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

27. *Decides* to remain seized of the matter.

Adopted unanimously at the 4573rd meeting.

F. The situation in the former Yugoslav Republic of Macedonia

[*Resolutions or decisions on this question were also adopted by the Security Council from 1995 to 1999*]

Decisions

At its 4356th meeting, on 13 August 2001, the Security Council considered the item entitled "The situation in the former Yugoslav Republic of Macedonia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[68]

> "The Security Council welcomes the signing at Skopje on 13 August 2001 of the Framework Agreement on the former Yugoslav Republic of Macedonia by the President of the former Yugoslav Republic of Macedonia, Mr. Boris Trajkovski, and the leaders of four political parties. The Council calls for the full and immediate implementation of the Agreement, which promotes the peaceful and harmonious development of civil society while respecting the ethnic identity and the interests of all citizens of the former Yugoslav Republic of Macedonia.
>
> "The Council calls for the full implementation of its resolution 1345 (2001) of 21 March 2001 and reaffirms the sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia.
>
> "The Council calls again upon all those concerned, including leaders of ethnic Albanian communities in the region, publicly to condemn violence and ethnic intolerance and to use their influence to secure peace. It reiterates its call to all who have contact with extremist groups to make clear to them that they have no support from any quarter in the international community. The Council condemns the ongoing violence by extremists and calls upon all parties to respect the ceasefire. The Council rejects any attempt to use violence, including the use of landmines, to undermine the Framework Agreement, which has been negotiated by the democratically elected political leadership of the former Yugoslav Republic of Macedonia.
>
> "The Council supports the actions of the President and Government of the former Yugoslav Republic of Macedonia aimed at resolving the crisis and assuring a stable and democratic future for all citizens of the former Yugoslav Republic of Macedonia, including through continued dialogue with the full representation of all legitimate political parties to strengthen democracy and preserve the multi-ethnic character of the society and the stability of the country.
>
> "The Council welcomes the efforts of the European Union, the Organization for Security and Cooperation in Europe and the North Atlantic Treaty Organization in support of the Framework Agreement. It also calls upon the international community to consider

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[68] S/PRST/2001/20.

how best to assist the Government of the former Yugoslav Republic of Macedonia in facilitating its full implementation.

"The Council will continue to follow closely developments on the ground."

At its 4381st meeting, on 26 September 2001, the Council decided to invite the representative of the former Yugoslav Republic of Macedonia to participate, without vote, in the discussion of the item entitled "The situation in the former Yugoslav Republic of Macedonia".

Resolution 1371 (2001)
of 26 September 2001

The Security Council,

Recalling its resolutions 1244 (1999) of 10 June 1999 and 1345 (2001) of 21 March 2001 and the statements by its President of 7[34] and 16 March[35] and 13 August 2001,[68]

Welcoming the steps taken by the Government of the former Yugoslav Republic of Macedonia to consolidate a multi-ethnic society within its borders, and expressing its full support for the further development of this process,

Welcoming also in this regard the signing of the Framework Agreement at Skopje on 13 August 2001 by the President of the former Yugoslav Republic of Macedonia and the leaders of four political parties,

Welcoming further international efforts, including those of the Organization for Security and Cooperation in Europe, the European Union and the North Atlantic Treaty Organization, in cooperation with the Government of the former Yugoslav Republic of Macedonia and other States, to prevent the escalation of ethnic tensions in the area and to facilitate the full implementation of the Framework Agreement, thus contributing to peace and stability in the region,

Welcoming the letter dated 21 September 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council,[69]

1. *Reaffirms its commitment* to the sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia and other States of the region;

2. *Calls* for the full implementation of resolution 1345 (2001);

3. *Supports* the full and timely implementation of the Framework Agreement, rejects the use of violence in pursuit of political aims, and stresses that only peaceful political solutions can assure a stable and democratic future for the former Yugoslav Republic of Macedonia;

4. *Welcomes* the efforts of the European Union and the Organization for Security and Cooperation in Europe to contribute to the implementation of the Framework Agreement, in particular through the presence of international observers;

5. *Endorses* the efforts of Member States and relevant international organizations to support the implementation of the Framework Agreement, and strongly supports in that regard the establishment of a multinational security presence in the former Yugoslav Republic of Macedonia at the request of its Government to contribute towards the security of the observers, and invites the Government of the former Yugoslav Republic of Macedonia to keep the Council informed;

6. *Demands* that all concerned ensure the safety of international personnel in the former Yugoslav Republic of Macedonia;

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[69] S/2001/897.

7. *Welcomes* the efforts of the United Nations Interim Administration Mission in Kosovo and the Kosovo Force to implement fully resolution 1244 (1999), in particular by further strengthening efforts to prevent unauthorized movement and illegal arms shipments across borders and boundaries, to confiscate illegal weapons within Kosovo, Federal Republic of Yugoslavia, and to keep the Council informed;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 4381st meeting.

ITEMS RELATING TO STRENGTHENING COOPERATION WITH TROOP-CONTRIBUTING COUNTRIES

A. *Strengthening cooperation with troop-contributing countries*

Decisions

At its 4257th meeting, on 16 January 2001, the Security Council decided to invite the representatives of Argentina, Australia, Bulgaria, Canada, Egypt, Fiji, India, Japan, Jordan, Malaysia, Nepal, New Zealand, Nigeria, Pakistan, Poland, the Republic of Korea, Romania, Senegal, South Africa, Sweden and Zambia to participate, without vote, in the discussion of the item entitled:

"Strengthening cooperation with troop-contributing countries

"Letter dated 8 January 2001 from the Permanent Representative of Singapore to the United Nations addressed to the Secretary-General (S/2001/21)".

At its 4270th meeting, on 31 January 2001, the Council considered the item discussed at the 4257th meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[70]

"The Security Council has given further consideration to the question of strengthening cooperation between the Council, the troop-contributing countries and the Secretariat. In this connection, the Council stresses the importance of full implementation of the provisions of resolution 1327 (2000) of 13 November 2000 and in the statements by its President of 3 May 1994[71] and 28 March 1996.[72] The Council takes note of the views expressed at its debate on the subject 'strengthening cooperation with troop-contributing countries' at its 4257th meeting. The Council recognizes the scope for further improvement in its relations with troop-contributing countries and the need to work together with a common purpose towards shared goals.

"The Council recognizes that, in view of the increasing complexity of peacekeeping operations, there is a need for a transparent three-way relationship between the Council, the Secretariat and the troop-contributing countries that will foster a new spirit of partnership, cooperation and confidence.

"Recognizing that the experience and expertise of troop-contributing countries in theatres of operation can greatly assist the planning process, the Council reiterates its agreement to hold consultations with troop-contributing countries in a timely manner at different stages of United Nations peacekeeping operations, in particular when the Secretary-General has identified potential troop-contributing countries for a new or ongoing peacekeeping operation, during the implementation phase of an operation, when considering a change to, or renewal or completion of a peacekeeping mandate, or when a rapid deterioration in the situation on the ground threatens the safety and security of United Nations peacekeepers.

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[70] S/PRST/2001/3.

[71] S/PRST/1994/22.

[72] S/PRST/1996/13.

"The Council will seek to ensure that all private meetings as provided for in resolution 1327 (2000) between members of the Council, the troop-contributing countries and the Secretariat are substantive, representative and meaningful and provide for a full exchange of views. The Council stresses the importance of full participation by all those involved and encourages troop-contributing countries to take the initiative to call for meaningful exchanges of information. The President of the Security Council will provide to the Council, where appropriate, a detailed report of consultations with the troop-contributing countries.

"The Council stresses the usefulness of full and comprehensive briefings by the Secretariat at private meetings with the troop-contributing countries, including, where appropriate, military factors.

"The Council encourages the Secretary-General to continue his efforts to improve coordination and cooperation on peacekeeping issues within the United Nations system and the Secretariat.

"The Council encourages the Secretary-General to raise globally public awareness of the positive contribution of peacekeeping operations and the role played by peacekeepers from various troop-contributing countries.

"The Council acknowledges that the Secretariat must be able to rely on sufficient human and financial resources to respond to the demands placed upon it. It underlines the importance of follow-up to the report of the Panel on United Nations Peace Operations,[73] with a view to strengthening the Department of Peacekeeping Operations and other relevant departments of the Secretariat involved in peacekeeping.

"The Council reiterates that the problem of the commitment gap with regard to personnel and equipment for peacekeeping operations requires that all Member States assume the shared responsibility to support United Nations peacekeeping.

"The Council acknowledges that the delay in reimbursement places severe budgetary constraints upon troop-contributing countries. It urges all Member States to pay their assessed contributions in full and on time, so that peacekeeping operations can stand on a solid financial basis.

"The Council decides to establish a Working Group of the Whole on United Nations peacekeeping operations. The Working Group will not replace the private meetings with the troop-contributing countries. The Working Group will address both generic peacekeeping issues relevant to the responsibilities of the Council, and technical aspects of individual peacekeeping operations, without prejudice to the competence of the Special Committee on Peacekeeping Operations. Where appropriate, the Working Group will seek the views of the troop-contributing countries, including through meetings between the Working Group and the troop-contributing countries, with so that their views are into account by the Council.

"As a first step, the Working Group is tasked to undertake an in-depth consideration of, inter alia, all the proposals made in the course of the public meeting of the Council on 16 January 2001,[74] including ways to improve the three-way relationship between the Council, the troop-contributing countries and the Secretariat, and to report to the Council by

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[73] See S/2000/809.

[74] See S/PV.4257.

30 April 2001. An indicative list of all the ideas and proposals arising from the meeting on 16 January 2001 will be forwarded to the Working Group for its consideration."

At its 4326th meeting, on 13 June 2001, the Council considered the item entitled:

"Strengthening cooperation with troop-contributing countries

> "Letter dated 31 May 2001 from the Chairman of the Security Council Working Group on Peacekeeping Operations addressed to the President of the Security Council (S/2001/546)".

Resolution 1353 (2001)
of 13 June 2001

The Security Council,

Reaffirming its resolutions 1318 (2000) of 7 September 2000 and 1327 (2000) of 13 November 2000 and the statements by its President of 3 May 1994[71] and 28 March 1996,[72] and all other relevant statements by its President,

Recalling the statement by its President of 31 January 2001,[70]

Taking into consideration the views expressed in the debate on the subject "Strengthening cooperation with troop-contributing countries" at its 4257th meeting on 16 January 2001,

Reaffirming its commitment to the purposes of the Charter of the United Nations as set out in Article 1, paragraphs 1 to 4, and to the principles of the Charter as set out in Article 2, paragraphs 1 to 7, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States and to respect for the sovereignty of all States,

Reaffirming its primary responsibility under the Charter for the maintenance of international peace and security, reiterating its commitment to enhance the capacity of the United Nations in this area, and emphasizing its willingness to take all necessary steps within its competence to that end,

Recalling the relevant recommendations in the report of the Panel on United Nations Peace Operations,[73] and reaffirming its support for all efforts to strengthen the efficiency and effectiveness of United Nations peacekeeping operations,

Stressing the need to ensure the safety and security of peacekeepers and other United Nations and associated personnel, including humanitarian personnel,

Stressing also the need to improve the relationship between the Security Council, the troop-contributing countries and the Secretariat to foster a spirit of partnership, cooperation, confidence and mutual trust,

Recognizing the need to strengthen cooperation with troop-contributing countries, as part of a series of measures to ensure more coherent and integrated concepts of operations and to enhance managerial efficiency and operational effectiveness of United Nations peacekeeping operations,

Noting that relevant provisions contained in the annexes to the present resolution pertain also to strengthening cooperation with countries contributing civilian police and other personnel,

1. *Agrees* to adopt the decisions and recommendations contained in the annexes to the present resolution;

2. *Requests* its Working Group on Peacekeeping Operations to continue its work on strengthening the capacity of the United Nations to establish and support efficient and effective peacekeeping operations;

3. *Undertakes* to follow closely the implementation of the agreed measures for cooperation with troop-contributing countries, and requests its Working Group to assess within six

months of the adoption of the present resolution the efficiency and effectiveness of the agreed measures, to consider their further improvement taking into account the proposals of the troop-contributing countries and to report to the Council on these matters;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4326th meeting.

Annex I

The Security Council

A. Statement of principles on cooperation with troop-contributing countries

1. *Recognizes* that its partnership with troop-contributing countries can be strengthened by the assumption by Member States, in particular those with the greatest capacity and means to do so, of their shared responsibility to provide personnel, assistance and facilities to the United Nations for the maintenance of international peace and security;

2. *Encourages* Member States to take steps to bridge the commitment gap with regard to personnel and equipment for specific United Nations peacekeeping operations;

3. *Emphasizes* the importance of troop-contributing countries taking the necessary and appropriate steps to ensure the capability of their peacekeepers to fulfil the mandate of the missions, and underlines the importance of bilateral and international cooperation in this regard, including in the area of training, logistics and equipment;

4. *Underlines* the importance of ensuring that national contingents participating in United Nations peacekeeping operations receive effective and appropriate support from the Secretariat, including in the area of training, logistics and equipment;

5. *Stresses* the need to ensure that the Secretariat is given sufficient human and financial resources to fulfil these tasks, and that these resources are used efficiently and effectively;

6. *Underlines* the fact that consultations between the Security Council, the Secretariat and troop-contributing countries should enhance the ability of the Council to make appropriate, effective and timely decisions in fulfilling its responsibilities;

7. *Underlines also* the need to maintain a comprehensive approach to improving the effectiveness of peacekeeping operations from their conception, including in preparing contingency plans for volatile situations and promoting cohesive exit strategies.

B. Operational issues

1. *Encourages* international cooperation and support for peacekeeping training, including the establishment of regional peacekeeping training centres, and stresses the need for technical support from the Secretary-General for such centres;

2. *Requests* the Secretary-General to include information on his consultations with troop-contributing countries in his regular reports to the Security Council on individual peacekeeping operations, and undertakes to take account of the views expressed in those consultations and in its meetings with troop-contributing countries when taking decisions on such operations;

3. *Also requests* the Secretary-General to convene assessments meetings with interested delegations, in particular troop-contributing countries, at appropriate stages of each peacekeeping operation, as a part of his efforts to draw the lessons that can be learned which should be taken into account in the conduct and planning of current and future operations;

4. *Further requests* the Secretary-General to take into account, in the conduct of peacekeeping operations and in the regular lessons-learned process, the operational experiences of national contingents while in the field or following departure;

5. *Undertakes* to inform troop-contributing countries fully of the terms of reference of missions of the Council involving peacekeeping operations and subsequently of the conclusions of the missions;

6. *Expresses its view* that the conduct of reconnaissance visits to the mission area by countries committing troops can be highly valuable in preparing for effective participation in peacekeeping operations, and encourages support for such visits;

7. *Urges* the Secretary-General to take further steps to implement the proposal of the Panel on United Nations Peace Operations[73] to create integrated mission task forces, and to pursue other related capabilities to improve United Nations planning and support capacities;

8. *Stresses* the need to improve the information and the analysis capacities of the Secretariat, with a view to improving the quality of advice provided to the Secretary-General, the Council and the troop-contributing countries;

9. *Stresses also* that the advice of the Secretariat to the Council and the troop-contributing countries should include a range of recommendations for action on the basis of an objective assessment of the situation on the ground, rather than what Member States are presumed to be willing to support;

10. *Underlines* the importance of an effective, mission-specific public information and communications capacity within peacekeeping operations, in particular through campaigns to improve awareness of the objectives and scope of the mission within the local population in the mission area;

11. *Stresses* the need for an effective public information programme to generate international public support for United Nations peacekeeping operations, and stresses also in this regard the need for special programmes, in particular in troop-contributing countries, to project the contribution of peacekeepers;

12. *Underlines* in this regard the need for an effective public information capacity within the United Nations, and takes note in this regard of the proposals made by the Secretary-General to strengthen Secretariat planning and support for public information in peacekeeping operations;[75]

C. Other mechanisms

1. *Undertakes* to continue to consider the possibility of using the Military Staff Committee as one of the means of enhancing United Nations peacekeeping operations;

2. *Expresses its belief* that groups of Friends of the Secretary-General, as well as other informal mechanisms which might include troop-contributing countries, Council members, donors and the countries in the region, can play a useful role in increasing the coherence and effectiveness of United Nations action, and stresses that they should conduct their work in close cooperation with the Council.

D. Follow-up

1. *Expresses its intention* to assess within six months the efficiency and effectiveness of its meetings with troop-contributing countries, with a view to the possibility of further improvement to the current system, including through the consideration of specific proposals of troop-contributing countries for new mechanisms;

2. *Decides* to strengthen cooperation with the troop-contributing countries in addition to and on the basis of the principles and provisions contained in the resolution and the present annex

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[75] See S/2000/1081.

by improving and expanding existing consultation mechanisms as elaborated in annex II below, with so as to ensure proper reflection of the views and concerns of troop-contributing countries.

Annex II

Format, procedures and documentation of meetings with the troop-contributing countries

The consultations with troop-contributing countries will take place in the following formats:

A. Public or private meetings of the Security Council with the participation of troop-contributing countries;

B. Consultation meetings with the troop-contributing countries;

C. Meetings between the Secretariat and troop-contributing countries.

A. Public or private meetings of the Security Council with the participation of troop-contributing countries

1. The Security Council will hold public or private meetings with the participation of troop-contributing countries, including at their request and without prejudice to the provisional rules of procedure of the Council, in order to ensure a full and high-level consideration of issues of critical importance to a specific peacekeeping operation.

2. Such meetings may be held, in particular, when the Secretary-General has identified potential troop-contributing countries for a new or ongoing peacekeeping operation, when considering a change in, or renewal or completion of a peacekeeping mandate, or when there is a rapid deterioration in the situation on the ground, including when it threatens the safety and security of United Nations peacekeepers.

B. Consultation meetings with the troop-contributing countries

1. Consultation meetings with troop-contributing countries will continue as the principal means of consultation, and will continue to be convened and chaired by the President of the Security Council.

2. Such consultation meetings may be convened, including at the request of troop-contributing countries, as appropriate, at different stages of peacekeeping operations, including:

(*a*) Mission planning, including the development of the concept of operations and the elaboration of the mandate of a new operation;

(*b*) Any change in the mandate, in particular the broadening or narrowing of the scope of the mission, the introduction of new or additional functions or components, or a change in the authorization to use force;

(*c*) The renewal of a mandate;

(*d*) Significant or serious political, military or humanitarian developments;

(*e*) A rapid deterioration of the security situation on the ground;

(*f*) The termination, withdrawal or scaling down in size of the operation, including the transition from peacekeeping to post-conflict peace-building;

(*g*) Before and after Security Council missions to a specific peacekeeping operation.

3. The following parties will be invited to these meetings:

(*a*) Countries contributing troops, military observers or civilian police to the peacekeeping operation;

(*b*) Prospective troop-contributing countries as identified by the Secretary-General;

(*c*) Relevant United Nations bodies and agencies, when they have specific contributions to make to the issue under discussion;

(*d*) Other bodies and agencies, as observers, as appropriate;

(*e*) Countries that make special contributions such as other civilian personnel, contributions to trust funds, logistics, equipment and facilities and other contributions, as appropriate;

(*f*) The host country or countries, as observers, as appropriate;

(*g*) The representative of a regional or subregional organization or arrangement, contributing troops, as appropriate;

(*h*) Regional organizations, as observers when not contributing troops, as appropriate.

4. Such consultation meetings will, as appropriate, include consideration of:

(*a*) Preparations for the establishment of a peacekeeping mandate by the Council;

(*b*) Operational issues, including the concept of operations, mission planning, authorization to use force, the chain of command, force structure, unity and cohesion of the force, training and equipment, risk assessment and deployment;

(*c*) Significant concerns of or recommendations by the Secretary-General, as set out in his report or in a briefing note or in an oral briefing by the Secretariat;

(*d*) The specific concerns of troop-contributing countries, including those communicated to the President of the Security Council;

(*e*) Progress in the accomplishment of the tasks of the mission in different areas or mission components.

5. The following measures will be ensured to improve the quality and effectiveness of such consultations:

(*a*) An informal paper setting out the agenda, including issues to be covered, and drawing attention to relevant background documentation will be circulated by the President of the Security Council to the participants when inviting them to attend these meetings;

(*b*) The Secretary-General should ensure, within the constraints of the Council's programme of work, that reports requested by the Council on specific peacekeeping operations are issued in good time to allow the timely holding of meetings with troop-contributing countries before discussion among Council members;

(*c*) The Secretariat should also make fact sheets available to all participants at the beginning of these meetings;

(*d*) The Secretary-General should ensure, where possible, that briefings are given by senior personnel working with the mission in the field;

(*e*) The Secretary-General should ensure that briefings consist of an objective assessment and analysis of the political, military, humanitarian and human rights situations, where appropriate;

(*f*) The Secretary-General should add value to the briefings by making them more user-friendly, including through the exploitation of information technology.

6. The following arrangements will be made to ensure timely and appropriate communication of the concerns and views of troop-contributing countries, as expressed at the consultation meetings, to the members of the Council so that those concerns and views can receive due consideration:

- The President of the Security Council, with the assistance of the Secretariat, will prepare and make available a summary of the content of such meetings.

- The summary of discussion will be distributed to Council members in advance of informal consultations or of the next meeting on the relevant peacekeeping operation, where appropriate.

C. Meetings between the Secretariat and troop-contributing countries

The Security Council supports the existing practice of meetings between the Secretariat and troop-contributing countries to discuss matters concerning specific peacekeeping operations, and also the participation at such meetings, where appropriate, of Special Representatives of the Secretary-General, force commanders and civilian police commissioners.

Other forms of consultation

The Security Council notes that the forms of consultation mentioned herein are not exhaustive and that consultations may take a variety of other forms, including formal or informal communication between the President of the Security Council or its members, the Secretary-General and the troop-contributing countries and, as appropriate, with other countries especially affected, including countries from the region concerned.

B. *Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Eritrea and Ethiopia pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4369th meeting, held in private on 10 September 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 September 2001, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4369th meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Legwaila Joseph Legwaila, Special Representative of the Secretary-General for Ethiopia and Eritrea and Head of the Mission.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries.
>
> "Mr. Legwaila and Mr. Hedi Annabi, Assistant Secretary-General for Peacekeeping Operations, responded to the comments and questions posed by members of the Council and representatives of troop-contributing countries."

At its 4491st meeting, held in private on 14 March 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 14 March 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4491st meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.
>
> "The Council and the troop-contributing countries heard briefings under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, and Major General Patrick Cammaert, Force Commander of the United Nations Mission in Ethiopia and Eritrea.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

C. *Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Sierra Leone pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4371st meeting, held in private on 13 September 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 13 September 2001, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4371st meeting, in private with the troop-contributing countries to the United Nations Mission in Sierra Leone.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries.
>
> "Mr. Guéhenno responded to the comments and questions posed by members of the Council and representatives of troop-contributing countries."

At its 4496th meeting, held in private on 20 March 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 20 March 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4496th meeting, in private with the troop-contributing countries to the United Nations Mission in Sierra Leone.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Oluyemi Adeniji, Special Representative of the Secretary-General for Sierra Leone and Head of the United Nations Mission in Sierra Leone.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

D. *Meeting of the Security Council with the troop-contributing countries to the United Nations Iraq-Kuwait Observation Mission pursuant to resolution 1353 (2001), annex II, section A*

Decision

At its 4386th meeting, held in private on 2 October 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 2 October 2001, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4386th meeting, in private with the troop-contributing countries to the United Nations Iraq-Kuwait Observation Mission.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries.

"Mr. Annabi responded to comments and questions posed by members of the Council and representatives of troop-contributing countries."

E. *Meeting of the Security Council with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4391st meeting, held in private on 18 and on 22 October 2001 (resumed), the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 18 and 22 October 2001, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4391st meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "The Council and the troop-contributing countries heard briefings under rule 39 of the provisional rules of procedure of the Council by Mr. A. Namanga Ngongi, Special Representative of the Secretary-General for the Democratic Republic of the Congo, and by Major General Mountaga Diallo, Force Commander of the Mission.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries.
>
> "Mr. Ngongi responded to comments and questions posed by members of the Council and representatives of troop-contributing countries."

At its 4483rd meeting, held in private on 4 March 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 4 March 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4483rd meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4550th meeting, held in private on 11 June 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 11 June 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4550th meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Amos Namanga Ngongi, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the Mission.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

F. *Meeting of the Security Council with the troop-contributing countries to the United Nations Transitional Administration in East Timor pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4397th meeting, held in private on 25 October 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 25 October 2001, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4397th meeting, in private with the troop-contributing countries to the United Nations Transitional Administration in East Timor.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4456th meeting, held in private on 23 January 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 23 January 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4456th meeting, in private with the troop-contributing countries to the United Nations Transitional Administration in East Timor.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries.
>
> "Mr. Annabi responded to the comments and questions posed by members of the Council and representatives of troop-contributing countries."

At its 4527th meeting, held in private on 6 May 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 6 May 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4527th meeting, in private with the troop-contributing countries to the United Nations Transitional Administration in East Timor.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

G. *Meeting of the Security Council with the troop-contributing countries to the United Nations Disengagement Observer Force pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4425th meeting, held in private on 21 November 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 21 November 2001, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4425th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4545th meeting, held in private on 24 May 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 24 May 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4545th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Louise Laheurte, Principal Officer and Deputy Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

H. *Meeting of the Security Council with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4426th meeting, held in private on 21 November 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 21 November 2001, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4426th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4477th meeting, held in private on 25 February 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 25 February 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4477th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4520th meeting, held in private on 24 April 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 24 April 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4520th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4587th meeting, held in private on 24 July 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 24 July 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4587th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. William Lacy Swing, Special Representative of the Secretary-General for Western Sahara and Chief of Mission."

I. *Meeting of the Security Council with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4435th meeting, held in private on 7 December 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 7 December 2001, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4435th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Joachim Hütter, Director of the Europe and Latin America Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4549th meeting, held in private on 5 June 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 5 June 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4549th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Joachim Hütter, Director of the Europe and Latin America Division of the Department of Peacekeeping Operations.

> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

J. *Meeting of the Security Council with the troop-contributing countries to the United Nations Mission of Observers in Prevlaka pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4446th meeting, held in private on 10 January 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 January 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4446th meeting, in private with the troop-contributing countries to the United Nations Mission of Observers in Prevlaka.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4569th meeting, held in private on 10 July 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 July 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4569th meeting, in private with the troop-contributing countries to the United Nations Mission of Observers in Prevlaka.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Major General Timothy Ford, Military Adviser for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

K. *Meeting of the Security Council with the troop-contributing countries to the United Nations Interim Force in Lebanon pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4455th meeting, held in private on 21 January 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 21 January 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4455th meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries.

"Mr. Annabi responded to the comments and questions posed by members of the Council and representatives of troop-contributing countries."

At its 4576th meeting, held in private on 17 July 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 17 July 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4576th meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Louise Laheurte, Principal Officer and Deputy Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

L. *Meeting of the Security Council with the troop-contributing countries to the United Nations Observer Mission in Georgia pursuant to resolution 1353 (2001), annex II, section A*

Decisions

At its 4457th meeting, held in private on 24 January 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 January 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4457th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Dieter Boden, Special Representative of the Secretary-General and Chief of the United Nations Observer Mission in Georgia.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries.

"Mr. Boden responded to the comments and questions posed by members of the Council and representatives of troop-contributing countries."

At its 4586th meeting, held in private on 24 July 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 July 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, held its 4586th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Joachim Hütter, Director of the Europe and Latin America Division of the Department of Peacekeeping Operations of the Secretariat."

M. *Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Bosnia and Herzegovina pursuant to resolution1353 (2001), annex II, section A*

Decision

At its 4553th meeting, held in private on 13 June 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 13 June 2002, the Security Council, pursuant to annex II, section A, of resolution 1353 (2001) of 13 June 2001, resolution 1353 (2001) held its 4553rd meeting in private with the troop-contributing countries to the United Nations Mission in Bosnia and Herzegovina.
>
> "The Security Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

THE RESPONSIBILITY OF THE SECURITY COUNCIL IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY: HIV/AIDS AND INTERNATIONAL PEACEKEEPING OPERATIONS

[*Resolutions or decisions on this question were also adopted by the Security Council in 2000.*]

Decisions

At its 4259th meeting, on 19 January 2001, the Security Council decided to invite the representatives of Canada, Costa Rica, India, Nigeria and Sweden to participate, without vote, in the discussion of the item entitled "The responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations and Dr. Peter Piot, Executive Director of the Joint United Nations Programme on HIV/AIDS.

At its 4339th meeting, on 28 June 2001, the Council considered the item entitled "The responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Dr. Peter Piot, Executive Director of the Joint United Nations Programme on HIV/AIDS.

At the same meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[76]

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[76] S/PRST/2001/16.

"The Security Council welcomes the successful holding of the twenty-sixth special session of the General Assembly on HIV/AIDS and encourages further action to address the problem of HIV/AIDS.

"The Council recalls its resolution 1308 (2000) of 17 July 2000, in which the Council, bearing in mind its primary responsibility for the maintenance of international peace and security, and emphasizing the important roles of the General Assembly and the Economic and Social Council in addressing the social and economic factors that lead to the spread of HIV/AIDS, inter alia, recognized that the HIV/AIDS pandemic is also exacerbated by conditions of violence and instability and stressed that the HIV/AIDS pandemic, if unchecked, might pose a risk to stability and security.

"The Council therefore welcomes the fact that the Declaration of Commitment on HIV/AIDS, adopted by the General Assembly at its twenty-sixth special session, addresses HIV/AIDS in conflict and disaster-affected regions and contains a number of practical measures at the national and international levels, to be met within given time-frames, to reduce the impact of conflict and disasters on the spread of HIV/AIDS, including the provision of HIV/AIDS awareness and training for personnel employed by United Nations agencies and other relevant organizations, the development of national strategies to address the spread of HIV amongst national uniformed services, as required, and the inclusion of HIV/AIDS awareness and training in guidelines designed for personnel involved in international peacekeeping operations.

"The Council recalls its open debate on 19 January 2001,[77] taking stock of progress made since the adoption of resolution 1308 (2000). The Council notes the progress made in the implementation of the resolution and commends the increased cooperation in this regard between the Department of Peacekeeping Operations of the Secretariat and the Joint United Nations Programme on HIV/AIDS through the Memorandum of Understanding between them signed in January 2001. Further, the Council welcomes the efforts to develop practical measures, such as the planned joint United Nations field assessment missions to major peacekeeping operations, and the development of the HIV/AIDS Awareness Card for Peacekeeping Operations to be distributed to all peacekeeping operations after testing in the United Nations Mission in Sierra Leone. The Council also welcomes the fact that the Cooperation Framework, signed on 24 May 2001, between the Joint United Nations Programme on HIV/AIDS and the United Nations Development Fund for Women expresses their intention to cooperate in the follow-up to resolution 1308 (2000) as well as resolution 1325 (2000) of 31 October 2000 on women, peace and security.

"The Council recognizes that further efforts are necessary to reduce the negative impact of conflict and disasters on the spread of HIV/AIDS and to develop the capacity of peacekeepers to become advocates and actors for awareness and prevention of HIV transmission. The Council encourages continued efforts with regard to relevant training for peacekeeping, pre-deployment orientation and increased international cooperation by interested Member States in areas such as prevention, voluntary and confidential testing and counselling, treatment for personnel, and the exchange of best practices and country policies in this regard. The Council encourages the Joint Programme and the Department of Peacekeeping Operations to pursue further the implementation of resolution 1308 (2000), including through the consideration of further efforts to enhance cooperation, such as the inclusion of HIV/AIDS advisers in peacekeeping operations, and revision, as required, of relevant codes of conduct.

"The Council expresses its intention to contribute within its competence to the attainment of the relevant objectives in the Declaration adopted by the General Assembly at its twenty-sixth special session in carrying out the work of the Council, in particular in its follow-up to resolution 1308 (2000)."

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[77] See S/PV.4259.

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC

[*Resolutions or decisions on this question were also adopted by the Security Council in 1997, 1998, 1999 and 2000.*]

Decisions

At its 4261st meeting, on 23 January 2001, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic

> "Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Peace-building Support Office in the Central African Republic (S/2001/35)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Cheikh Tidiane Sy, Representative of the Secretary-General and Head of the United Nations Peace-building Support Office in the Central African Republic.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Frederick Lyons, Acting Deputy Director of the Regional Bureau for Africa of the United Nations Development Programme and Mr. Mats Karlsson, Vice-President for External Affairs and United Nations Affairs, of the World Bank.

At the same meeting, in response to the request dated 22 January 2001 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council,[78] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ridha Bouabid, Permanent Observer for the International Organization of la Francophonie to the United Nations.

At its 4262nd meeting, on 23 January 2001, the Council considered the item entitled:

"The situation in the Central African Republic

> "Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Peace-building Support Office in the Central African Republic (S/2001/35)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[79]

"The Security Council has considered the report of the Secretary-General of 11 January 2001,[80] submitted in accordance with the statement by the President of the Council of 10 February 2000.[81]

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[78] Document S/2001/67, incorporated in the record of the 4261st meeting.

[79] S/PRST/2001/2.

[80] S/2001/35.

[81] S/PRST/2000/5.

"The Council commends the United Nations Peace-building Support Office in the Central African Republic and the Representative of the Secretary-General for the efforts they have constantly made to contribute to peace and stability in the Central African Republic. In this connection, the Council welcomes the additional progress made in certain areas since the previous report of the Secretary-General of 29 June 2000,[82] particularly in the area of the disarmament and restructuring of the security and defence forces, and as regards respect for human rights by the police.

"The Council welcomes the mission to the region of the Special Envoy of the Secretary-General to assess the impact of the conflict in the Democratic Republic of the Congo on the Central African Republic and the Republic of the Congo, in particular its humanitarian, economic, social and security implications. The Council is looking forward to discussing the findings of that mission in the very near future.

"The Council expresses its concern at the political and social tensions which have recently resurfaced in the Central African Republic, which threaten the national reconciliation process undertaken four years ago with the active support of the international community. The Council notes with concern the absence of dialogue between the Government and the Opposition. The Council is also disturbed by the deterioration of the economic situation, partly because of the repercussions of the conflict in the Democratic Republic of the Congo and the resulting fuel crisis.

"The Council welcomes the contributions already received and calls upon bilateral and multilateral donors to provide full support to the efforts of the Government of the Central African Republic. The Council appreciates the release by the World Bank of the second tranche of credit for the consolidation of public finances and welcomes the recent decision by the International Monetary Fund to release additional funds. The Council calls upon Member States which made pledges at the special meeting in New York, co-chaired by the Secretariat, Germany and the United Nations Development Programme, on 15 and 16 May 2000, to fulfil their commitments. The Council also stresses the importance of international assistance to refugees and displaced persons in the Central African Republic and the other countries of the region, in order to contribute to regional stability.

"The Council reaffirms that it is first of all up to the Central Africans to summon the necessary political will for national reconciliation. The Council strongly encourages the Government of the Central African Republic to do everything in its power to strengthen democratic institutions and broaden the scope of national reconciliation. The Council urges all political actors in the Central African Republic to contribute in their respective ways to the reduction of the existing tension between the Government and the Opposition. In this regard, while it welcomes the release, on 8 January 2001, of sixty-two persons who had been arrested during the prohibited demonstration of 19 December 2000, the Council nevertheless notes with concern certain constraints on the peaceful public assembly of opposition and labour groups.

"The Council calls upon the Government of the Central African Republic to take concrete measures to implement economic reforms and to ease social tensions. The Council stresses the priority need for the payment of salary arrears in the civil service and welcomes the recent announcement by the Government of the Central African Republic that it will take measures in this direction. The Council also encourages the Government of the Central African Republic to take all the financial measures necessary to relaunch the demobilization and reintegration programme.

"The Council requests the Secretary-General to continue to keep it regularly informed of the activities of the Office, and the situation in the Central African Republic, in particular the progress made in the political, economic and social reforms, and to submit a report by 30 June 2001, in accordance with the statement by the President of the Council dated 10 February 2000."

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[82] S/2000/639

On 12 July 2001, the President of the Security Council addressed the following letter to the Secretary-General:[83]

"I have the honour to inform you that your letter dated 9 July 2001 concerning your intention to appoint General Lamine Cissé, former Minister of the Interior of Senegal, as your Representative for the Central African Republic and Head of the United Nations Peace-building Support Office in that country[84] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4347th meeting, on 17 July 2001, the Council considered the item entitled:

"The situation in the Central African Republic

"Third report of the Secretary-General to the Security Council on the situation in the Central African Republic and on the activities of the United Nations Peace-building Support Office in the Central African Republic (S/2001/660)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[85]

"The Security Council has examined the report of the Secretary-General of 2 July 2001 on the activities of the United Nations Peace-building Support Office in the Central African Republic and the situation in the Central African Republic.[86]

"The Council expresses its appreciation to the Special Envoy of the Secretary-General, General Amadou Toumani Touré, for the mission he conducted in Bangui from 12 June to 1 July 2001. It notes with satisfaction that the mission has contributed to the easing of tensions in the Central African Republic.

"The Council welcomes the appointment of the new Representative of the Secretary-General for the Central African Republic. It looks forward to his assuming the active leadership of the Office at an early date.

"The Council reiterates its condemnation of the recent attempted coup d'état in the Central African Republic. It recognizes the importance of the Central African Republic to subregional stability. It expresses its deep concern at the precarious situation in the country and the persisting acts of violence, in particular against certain ethnic groups. The Council notes that such a climate is not conducive to encouraging the continuation of the return home of the thousands of Central Africans that were displaced or took refuge in neighbouring countries as a result of the events at the end of May. It calls upon the Government of the Central African Republic to take urgent steps to bring an end to all acts of violence.

"The Council strongly condemns the killing of the Security Coordinator for the United Nations system in the Central African Republic. It takes note of the condemnation of this act by the Central African authorities and of their intention to carry out an investigation and urges them to bring those responsible to justice.

"The Council calls for respect for human rights, and for national reconciliation and political dialogue in the spirit of the 1998 National Reconciliation Pact.[87]

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[83] S/2001/691.

[84] S/2001/690.

[85] S/PRST/2001/18.

[86] S/2001/660.

[87] S/1998/219, appendix.

"The Council requests the Secretary-General to submit to it by 30 September 2001 recommendations on how the United Nations might further contribute to the recovery of the Central African Republic, paying particular attention to the following questions:

"(*a*) Strengthening the Office, in particular in areas such as human rights monitoring, assistance to the judicial system, capacity-building and enhancement of the effectiveness of its early-warning capacity;

"(*b*) Exploring with the Government of the Central African Republic, in cooperation with the relevant institutions, the provision of expertise in the area of public administration and finances, in particular by making available experts in such matters;

"(*c*) The continued and improved restructuring of the Central African Armed Forces and the implementation of an effective arms-collection programme.

"The Council expresses its willingness to study, in cooperation with the relevant institutions, particularly the International Monetary Fund and the World Bank, the recommendations of the Secretary-General.

"The Council stresses that an enhanced international effort will be necessary to help in the recovery of the Central African Republic. It urges all States that made pledges at the special donor meeting, held in New York on 15 and 16 May 2000, to fulfil them. It calls upon the Bretton Woods institutions to take into account the specific nature of the situation in order to conclude programmes with the Central African authorities at an early date. The Council stresses the crucial importance of poverty eradication, debt payment and payment of salary arrears to civil servants, which will require in the long term heightened efforts on the part of the Government of the Central African Republic in the management of public finances and administration.

"The Council again recalls that responsibility for national reconciliation, stability and the reconstruction of the country lies primarily with the political leaders and the people of the Central African Republic. It emphasizes in this regard that the full effectiveness of the assistance of the international community depends on the implementation in parallel of appropriate structural reforms."

At its 4380th meeting, on 21 September 2001, the Council decided to invite the representatives of Belgium, the Central African Republic and Egypt to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic

"Report of the Secretary-General to the Security Council on the situation in the Central African Republic pursuant to the statement by the President (S/2001/886)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to General Lamine Cissé, Representative of the Secretary-General and Head of the United Nations Peace-building Support Office in the Central African Republic, and Mr. Robert Calderisi, Country Director, of the World Bank.

At its 4382nd meeting, on 26 September 2001, the Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic

"Report of the Secretary-General to the Security Council on the situation in the Central African Republic pursuant to the statement by the President (S/2001/886)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[60]

"The Security Council has considered the report of the Secretary-General of 21 September 2001[61] submitted in accordance with the statement by its President of 17 July 2001,[58] particularly his recommendations on how the United Nations might further contribute to the recovery of the Central African Republic.

"The Council expresses its appreciation for the continuing work of the Representative of the Secretary-General, General Lamine Cissé, and of the United Nations Peace-building Support Office in the Central African Republic.

"The Council expresses its continued deep concern at the precarious situation in the Central African Republic. It reiterates its call upon all parties for political dialogue, national reconciliation and respect for human rights, in the spirit of the 1998 National Reconciliation Pact. In this regard, it has noted the appeals for national unity made by the Central African authorities.

"The Council calls upon the Central African authorities to follow the internationally accepted standards for due process in the course of investigations and court trials of individuals involved in the attempted coup d'état in May 2001. These procedures should be transparent and should not be allowed to aggravate inter-ethnic relations in the Central African Republic. The refugees who left the country after the failed coup d'état should be able to return in safety, without fear of persecution on the basis of ethnicity.

"The Council encourages the international community to make a substantial and urgent contribution to the recovery of the Central African Republic and emphasizes that the effectiveness of such a contribution will greatly depend on the efforts the Government of the Central African Republic itself makes to that end. The Council emphasizes that the crucial issues of external debt and payment of salary arrears to civil servants need to be urgently addressed.

"The Council encourages the United Nations Development Programme and the international financial institutions, particularly the World Bank, the International Monetary Fund and the African Development Bank, to consider, in consultation with the Government of the Central African Republic and the Representative of the Secretary-General, ways of strengthening the capacities of the Government of the Central African Republic in the management of its economic and financial affairs, including through secondment of high-level experts. The Council invites the Secretary-General to keep it informed of actions taken in this regard when he submits his next report on the Central African Republic. In addition, the Council urges the Bretton Woods institutions to show exceptional solicitude towards the Central African Republic.

"The Council notes with interest the intention of the Secretary-General, in coordination with the Government of the Central African Republic, to extend the mandate of the Office and to strengthen it, in accordance with paragraph 29 of his report of 21 September 2001.

"The Council underlines the need to continue the restructuring of the Central African Armed Forces, to enable them to fulfil their role effectively, loyally and impartially, in the service of the Central African people. It also recalls the importance of implementing an effective arms-collection programme. In this regard, it supports the recommendations in paragraphs 17 and 18 of the report of the Secretary-General.

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[60] S/PRST/2001/25.

[61] S/2001/886.

> "The Council requests the Secretary-General to continue to keep it regularly informed of the activities of the Office and the situation in the Central African Republic, particularly in the areas of political dialogue, national reconciliation and respect for human rights."

At its 4571st meeting, held in private on 11 July 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4571st meeting, held in private on 11 July 2002, the Security Council considered the item entitled 'The situation in the Central African Republic'.
>
> "The President, with the consent of the members of the Council, invited General Lamine Cissé, Representative of the Secretary-General and Head of the United Nations Peace-building Support Office in the Central African Republic, to participate in the discussion of the item, in accordance with rule 39 of the provisional rules of procedure of the Council.
>
> "The Council heard a briefing by General Cissé.
>
> "The members of the Council and General Cissé had a constructive discussion."

THE SITUATION IN ANGOLA

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.]

Decision

At its 4263rd meeting, on 23 January 2001, the Security Council considered the item entitled:

"The situation in Angola

"Note by the President of the Security Council (S/2000/1225)".

Resolution 1336 (2001)
of 23 January 2001

The Security Council,

Reaffirming its resolution 864 (1993) of 15 September 1993 and all relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998, 1237 (1999) of 7 May 1999 and 1295 (2000) of 18 April 2000,

Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,

Expressing its continued concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Determining that the situation in Angola constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Takes note* of the final report of the monitoring mechanism[80] established pursuant to resolution 1295 (2000);

2. *Expresses its intention* to give full consideration to the final report, pursuant to paragraph 5 of resolution 1295 (2000);

3. *Decides* to extend the mandate of the monitoring mechanism, as set out in resolution 1295 (2000) for a period of three months;

4. *Requests* the monitoring mechanism to report periodically to the Security Council Committee established pursuant to resolution 864 (1993), and to provide a written addendum to the final report by 19 April 2001;

5. *Requests* the Secretary-General, upon adoption of the present resolution and acting in consultation with the Committee, to re-appoint up to five of the experts appointed by him pursuant to resolution 1295 (2000) to serve on the monitoring mechanism, and also requests the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism;

6. *Requests* the Chairman of the Security Council Committee established pursuant to resolution 864 (1993)to submit the written addendum to the final report to the Council by 19 April 2001;

7. *Calls upon* all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4263rd meeting.

Decisions

At its 4283rd meeting, on 22 February 2001, the Security Council decided to invite the representatives of Angola, Argentina, Brazil, Bulgaria, Burkina Faso, Canada, Mozambique, Namibia, Portugal, Romania, Rwanda, Swaziland, Sweden, Togo and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Note by the President of the Security Council (S/2000/1225)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Richard Ryan, Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning Angola.

At its 4311th meeting, on 19 April 2001, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Note by the President of the Security Council (S/2001/363)".

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[80] See S/2000/1225 and Corr.1 and 2.

Resolution 1348 (2001)
of 19 April 2001

The Security Council,

Reaffirming its resolution 864 (1993) of 15 September 1993 and all relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998, 1237 (1999) of 7 May 1999, 1295 (2000) of 18 April 2000 and 1336 (2001) of 23 January 2001,

Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Recognizing the importance attached, inter alia, to the monitoring, for as long as it is necessary, of the implementation of the provisions contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998),

Determining that the situation in Angola continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Takes note* of the written addendum[91] provided pursuant to paragraph 4 of resolution 1336 (2001) to the final report of the monitoring mechanism[illegible] established pursuant to resolution 1295 (2000);

2. *Expresses its intention* to give full consideration to the written addendum and to the final report, pursuant to paragraph 5 of resolution 1295 (2000);

3. *Decides* to extend the mandate of the monitoring mechanism for a further period of six months, ending on 19 October 2001;

4. *Requests* the monitoring mechanism to report periodically to the Security Council Committee established pursuant to resolution 864 (1993), and to provide a supplementary report by 19 October 2001;

5. *Requests* the Secretary-General, upon adoption of the present resolution and acting in consultation with the Committee, to appoint up to five experts to serve on the monitoring mechanism, and also requests the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism;

6. *Requests* the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) to submit the supplementary report to the Council by 19 October 2001;

7. *Calls upon* all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4311th meeting.

Decisions

On 19 April 2001, the President of the Security Council addressed the following letter to the Secretary-General:[92]

> "I have the honour to inform you that members of the Security Council have considered your report of 11 April 2001 on the United Nations Office in Angola.[93]

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[91] See S/2001/363.

[92] S/2001/387.

[93] S/2001/351.

> "They concur with the recommendation contained in paragraph 50 of that report on the extension of the mandate of the Office until 15 October 2001, and are content with the objectives for the Office which you set in the report."

At its 4376th meeting, held in private on 20 September 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4376th meeting, held in private on 20 September 2001, the Security Council considered the item entitled 'The situation in Angola'.
>
> "In accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council, the President of the Security Council extended an invitation to Mr. Fernando da Piedade Dias dos Santos, Minister of the Interior of Angola.
>
> "The members of the Council had a constructive interactive discussion with the Minister of the Interior of Angola."

At its 4377th meeting, on 20 September 2001, the Council considered the item entitled "The situation in Angola".

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[94]

> "The Security Council remains concerned at the continuing conflict in Angola. It reiterates its position that the primary responsibility for the continued fighting lies with the leadership of the armed faction of the União Nacional para a Independência Total de Angola, headed by Mr. Jonas Savimbi, which is refusing to fulfil its obligations under the 'Accordos de Paz',[95] the Lusaka Protocol[96] and relevant resolutions of the Council, which remain the only viable basis for a political settlement of the conflict in Angola.
>
> "The Council considers the four-point agenda for peace proposed by the Government of Angola to be a useful indication of areas where an agreement or progress should be reached. It calls upon the armed faction of the União Nacional para a Independência Total de Angola, headed by Mr. Savimbi, to cease all military action and to enter into a dialogue with the Government of Angola on how to conclude the implementation of the Lusaka Protocol on this basis.
>
> "The Council condemns in the strongest terms the terrorist attacks by forces of the União Nacional para a Independência Total de Angola on the civilian population of Angola. It stresses that such attacks are unacceptable and cannot be justified by any political goals. The Council reminds the perpetrators that such acts are in violation of international law and may have further implications.
>
> "The Council reaffirms that the failure by the armed faction of the União Nacional para a Independência Total de Angola to implement its obligations under the 'Accordos de Paz', the Lusaka Protocol and the relevant resolutions of the Council remains the reason for the Security Council sanctions against the União Nacional para a Independência Total de Angola. The Council is determined to keep sanctions in place until it is convinced that the conditions set out in its relevant resolutions are met. It reiterates its call upon all States to implement strictly the sanctions regime against the União Nacional para a Independência Total de Angola and urges them to strengthen, where appropriate, their internal legislation related to application of sanctions measures imposed by the Council. The Council reaffirms

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[94] S/PRST/2001/24.

[95] See S/22609, annex.

[96] S/1994/1441, annex.

its intention to keep sanctions under close monitoring and periodic review in order to increase their effectiveness, including as they relate to activity of the União Nacional para a Independência Total de Angola abroad.

"The Council notes with satisfaction that, at their recent summit, the heads of State and Government of the countries members of the Southern African Development Community countries undertook to prepare a report on ways in which those countries implement Council resolution 1295 (2000). The Council encourages those countries to cooperate fully in their efforts to implement the Council's measures against the União Nacional para a Independência Total de Angola.

"The Council encourages the Government of Angola to promote the peace process and in this regard welcomes the initiatives by the Government of Angola as well as by the Angolan people, including civil society and the churches. It calls upon the Angolan authorities to continue efforts aimed at national reconciliation and stabilization of the situation in the country, in consultation with all segments of Angolan society, including civil society and the churches. These efforts should focus on re-establishment of the state administration, improvement of the social and economic situation of the population, promotion of the rule of law, protection of human rights, the activity of the Interagency Committee and of the Fund for National Peace and Reconciliation.

"The Council supports the intention of the Government of Angola to hold elections as a part of the ongoing democratization process in Angola, in conformity with the universally accepted democratic principles and standards. It stresses the need to create the necessary conditions for elections to be free and fair. The Council requests the Secretary-General to provide appropriate support, in coordination with the Government of Angola, in the preparation of elections, including through the work of the ongoing United Nations technical assistance mission.

"The Council notes the positive contribution that the United Nations Office in Angola is making towards finding a solution to the Angolan conflict. It reiterates its full support for the work of the Office and the Representative of the Secretary-General.

"The Council is seriously concerned about the plight of the Angolan population, particularly the internally displaced persons, and in order to alleviate its suffering calls again upon all parties concerned to facilitate the delivery of emergency relief assistance. The work of the United Nations agencies and other international organizations delivering assistance to those in the affected areas is of the utmost importance and must continue unobstructed, with the financial support of the international community."

On 16 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[97]

"I have the honour to inform you that the members of the Security Council have considered your report of 10 October 2001 on the United Nations Office in Angola.[98]

"They concur with the recommendation contained in paragraph 62 of the report on the extension of the mandate of the Office until 15 April 2002 and are content with the objectives for the Office which you set in the report."

At its 4393rd meeting, held on 19 October 2001, the Council considered the item entitled:

"The situation in Angola"

"Letter dated 12 October 2001 from the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola addressed to the President of the Security Council (S/2001/966)."

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[97] S/2001/973.

[98] S/2001/956.

Resolution 1374 (2001)
of 19 October 2001

The Security Council,

Reaffirming its resolution 864 (1993) of 15 September 1993 and all relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998, 1237 (1999) of 7 May 1999, 1295 (2000) of 18 April 2000, 1336 (2001) of 23 January 2001 and 1348 (2001) of 19 April 2001,

Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Recognizing the importance attached, inter alia, to the monitoring, for as long as it is necessary, of the implementation of the provisions contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998),

Determining that the situation in Angola continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Takes note* of the supplementary report of 12 October 2001[99] provided pursuant to paragraph 4 of resolution 1348 (2001);

2. *Expresses its intention* to give full consideration to the supplementary report;

3. *Decides* to extend the mandate of the monitoring mechanism for a further period of six months, ending on 19 April 2002;

4. *Calls upon* the Security Council Committee established pursuant to resolution 864 (1993) to undertake a review, to be completed by 31 December 2001, of the final report of the monitoring mechanism,[90] the addendum to the final report[91] and the supplementary report,[99] with a view to examining the recommendations contained in those reports and to offer guidance to the monitoring mechanism on its future work;

5. *Requests* the monitoring mechanism to provide the Committee, within sixty days of the adoption of the present resolution, with a detailed action plan for its future work, in particular but not exclusively, on sanctions on diamonds of the União Nacional para a Independência Total de Angola and violations of arms sanctions, and on the finances of the União Nacional para a Independência Total de Angola;

6. *Also requests* the monitoring mechanism to report periodically to the Committee and to provide an additional report by 19 April 2002;

7. *Requests* the Secretary-General, upon adoption of the present resolution and acting in consultation with the Committee, to appoint four experts to serve on the monitoring mechanism, and also requests the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism;

8. *Requests* the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) to submit the additional report to the Council by 19 April 2002;

9. *Calls upon* all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4393rd meeting.

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[99] S/2001/966.

Decisions

At its 4418th meeting, on 15 November 2001, the Security Council decided to invite the representatives of Angola, Belgium, Brazil, Canada, Cape Verde, Malawi, Namibia and Zimbabwe to participate, without vote, in the discussion of the item entitled "The situation in Angola".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Special Adviser for Africa.

At its 4419th meeting, on 15 November 2001, the Security Council considered the item entitled "The situation in Angola".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[100]

> "The Security Council remains deeply concerned about the ongoing conflict in Angola. It holds Mr. Jonas Savimbi and the armed faction of the União Nacional para a Independência Total de Angola primarily responsible for the failure to implement the Lusaka Protocol.[96] It expresses its deep concern at the resulting human rights and international humanitarian law violations, and the humanitarian crisis.
>
> "The Council reaffirms that the Lusaka Protocol remains the only viable basis for a political settlement of the conflict in Angola. The failure by the União Nacional para a Independência Total de Angola to implement the Lusaka Protocol, the 'Accordos de Paz'[95] and the relevant resolutions of the Council is the basis for the continuation of the Security Council sanctions against it.
>
> "The Council once again reaffirms its intention to keep sanctions under close and ongoing monitoring with a view to improving their effectiveness until it is convinced that the conditions in the relevant resolutions are met. It welcomes, in this regard, the ongoing review by the sanctions committee of the recommendations of the monitoring mechanism on sanctions against the União Nacional para a Independência Total de Angola.
>
> "The Council reiterates its call upon Member States to comply fully with the implementation of the sanctions regime against the União Nacional para a Independência Total de Angola. The Council notes the positive contribution of the Security Council Committee established pursuant to resolution 864 (1993) and, in this regard, calls upon the Member States to cooperate fully with that Committee and the monitoring mechanism.
>
> "The Council supports the Government of Angola in its efforts to implement the Lusaka Protocol, including through the Fund for Peace and National Reconciliation. The Council supports the intention of the Government to hold free and fair elections when appropriate conditions are in place. It encourages the Angolan authorities to continue, in consultation with all political parties and with the full participation of civil society, their efforts for peace, stability and national reconciliation. The Council further encourages the Government of Angola to work for economic reform and to ensure transparent and accountable governance to provide a positive climate for peace.
>
> "The Council expresses its concern that the continuing conflict in Angola is leading to a large number of internally displaced persons and a dire humanitarian situation. It welcomes the efforts of the Government of Angola to improve the humanitarian situation and the resettlement of the displaced population and calls upon it to increase its efforts to this end. It also calls upon the international community to continue to provide necessary

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[100] S/PRST/2001/36.

humanitarian assistance. It stresses that humanitarian assistance should be provided to the population in need, throughout Angola.

"The Council supports the efforts of civil society and the churches to alleviate the humanitarian situation and to facilitate national reconciliation.

"The Council welcomes the upcoming visit of the Special Adviser for Africa to Angola for consultations with the Government, political parties and civil society representatives on ways in which the United Nations could help in the advancement of the peace process. It also reiterates its support for the work of the United Nations Office in Angola in finding the solution to the Angolan conflict."

At its 4444th meeting, on 21 December 2001, the Council considered the item entitled "The situation in Angola".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Special Adviser for Africa.

At its 4472nd meeting, on 13 February 2002, the Council decided to invite the representatives of Angola and Portugal to participate, without vote, in the discussion of the item entitled "The situation in Angola".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 4499th meeting, on 28 March 2002, the Council considered the item entitled "The situation in Angola".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[101]

"The Security Council welcomes the communiqué issued by the Government of Angola on 13 March 2002[102] as a positive, constructive and forward-looking approach to ending the conflict and resuming the process of national reconciliation, and calls upon the União Nacional para a Independência Total de Angola to show that it shares a similar position, with the aim of achieving national reconciliation, including through a general ceasefire in Angola.

"The Council urges the União Nacional para a Independência Total de Angola to recognize the historic nature of this opportunity to end the conflict with dignity, to give a clear, positive response to the Government's offer of peace, to implement fully the Lusaka Protocol,[96] including by disavowing the use of arms and demilitarizing completely, and to re-enter political life to pursue its ideals as an important contributor to the process of national reconciliation towards a fully democratic Angola.

"The Council recognizes the positive initiatives of the Government of Angola in this process. It also recognizes the vital role to be played by a peaceful União Nacional para a Independência Total de Angola and stresses the importance of the role of other political parties and civil society, including the churches, all supported by the international community.

"The Council expects that the Government of Angola will fulfil its commitments as rapidly as circumstances permit, and notes that the response of the international community, including the provision of assistance, with the exception of humanitarian assistance, would be positively encouraged by the efforts and actions of the Government.

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[101] S/PRST/2002/7.

[102] S/2002/270, annex.

"The Council calls upon the Government of Angola to ensure further the transparency and credibility of the peace process, including by cooperating with the United Nations, in the first phase and beyond. The Council looks forward to discussions between the Special Adviser for Africa, and the Government of Angola to clarify the role of the United Nations.

"The Council stresses the active role that the United Nations is expected to play in the implementation of the Lusaka Protocol, in close cooperation with the Government of Angola, and notes the need to renew and possibly redefine the mandate of the United Nations Office in Angola by 15 April 2002, taking into account recent developments in Angola, in consultation with the Government of Angola.

"The Council declares its support for the full implementation of the Lusaka Protocol and its willingness to work with all parties in this endeavour, and stresses the importance of the re-commencement of the Joint Commission as soon as the União Nacional para a Independência Total de Angola is ready to name its members. It calls upon the Government to facilitate the União Nacional para a Independência Total de Angola retaking its place on the Commission, while noting that it might be necessary for the parties to build upon the Lusaka Protocol, by common agreement, as appropriate to current circumstances without altering the fundamental nature and principles of the accord.

"The Council stands ready to consider appropriate and specific exemptions from and amendments to the measures imposed by paragraph 4 (*a*) of Security Council resolution 1127 (1997) of 28 August 1997, in consultation with the Government of Angola and with a view to facilitating the peace negotiations.

"The Council welcomes the statement by the Government of Angola on facilitation of the political reorganization of the União Nacional para a Independência Total de Angola and the choice of its leadership in complete freedom, in order to have a legitimate interlocutor for national reconciliation.

"The Council underlines that the legitimacy of the peace process depends upon a genuine role for, and full participation of, political parties and civil society without interference, as well as flexibility in approaching questions of national reconciliation.

"The Council expresses its concern that the grave humanitarian situation, especially that of internally displaced persons, continues to deteriorate and calls upon the Government of Angola to accelerate full and immediate access to all those in need of humanitarian assistance. It welcomes the decision by the Government of Angola to include humanitarian assistance in its plans to extend territorial administration throughout Angola, and expects that the Government of Angola will cooperate fully through an agreed coordinating mechanism with the international donors in developing swiftly an appropriate and effective humanitarian response, including demining activities.

"The Council invites the Government of Angola to brief the it at the earliest opportunity on the peace process in all its aspects, as well as national reconciliation and the humanitarian situation."

On 12 April 2002, the President of the Security Council addressed the following letter to the Secretary-General:[103]

"I have the honour to inform you that, as you requested, your recommendation in your letter dated 11 April 2002 to extend the mandate of the United Nations Office in Angola for a period of three months, until 15 July 2002,[104] has been brought to the attention of the members of the Security Council. They concurred with this recommendation."

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[103] S/2002/412.

At its 4514th meeting, on 18 April 2002, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

Resolution 1404 (2002)
of 18 April 2002

The Security Council,

Reaffirming its resolution 864 (1993) of 15 September 1993 and all relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998, 1237 (1999) of 7 May 1999, 1295 (2000) of 18 April 2000, 1336 (2001) of 23 January 2001, 1348 (2001) of 19 April 2001 and 1374 (2001) of 19 October 2001,

Recalling the statement by its President of 28 March 2002,[101] in particular the Council's readiness to consider appropriate and specific exemptions from and amendments to the measures imposed by paragraph 4 (*a*) of resolution 1127 (1997), in consultation with the Government of Angola and with a view to facilitating the peace negotiations,

Reaffirming its commitment to preserve the sovereignty and territorial integrity of Angola,

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Welcoming the ceasefire agreement signed in Luanda on 4 April 2002,

Recognizing the importance attached, inter alia, to the monitoring, for as long as it is necessary, of the implementation of the provisions contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998),

Determining that the situation in Angola continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Looks forward* to receiving the additional report of the monitoring mechanism established pursuant to resolution 1295 (2000), to be submitted pursuant to paragraph 8 of resolution 1374 (2001);

2. *Expresses its intention* to give full consideration to this additional report;

3. *Decides* to extend the mandate of the monitoring mechanism for a further period of six months, ending on 19 October 2002;

4. *Requests* the monitoring mechanism to provide the Security Council Committee established pursuant to resolution 864 (1993), hereinafter referred to as "the Committee", within thirty days of the adoption of the present resolution, with a detailed action plan for its future work, in particular, but not exclusively, on the financial measures and the measures concerning the trade in diamonds and the trade in arms against the União Nacional para a Independência Total de Angola;

5. *Requests* the monitoring mechanism to report periodically to the Committee and to provide a further additional report to the Committee by 15 October 2002;

6. *Requests* the Secretary-General, upon adoption of the present resolution and acting in consultation with the Committee, to appoint four experts to serve on the monitoring mechanism,

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[104] S/2002/411.

and also requests the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism;

7. *Requests* the Chairman of the Committee to submit the additional report to the Council by 19 October 2002;

8. *Calls upon* all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4514th meeting.

Decisions

At its 4517th meeting, on 23 April 2002, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Special Adviser for Africa.

At its 4536th meeting, on 17 May 2002, the Council considered the item entitled "The situation in Angola".

Resolution 1412 (2002)
of 17 May 2002

The Security Council,

Reaffirming its resolutions 696 (1991) of 30 May 1991, 864 (1993) of 15 September 1993 and all relevant resolutions, in particular resolution 1127 (1997) of 28 August 1997,

Recalling the statement by its President of 28 March 2002,[101] which, in particular, expressed the Council's readiness to consider appropriate and specific exemptions from and amendments to the measures imposed by paragraph 4 (*a*) of resolution 1127 (1997),

Welcoming the historic step taken by the Government of Angola and the União Nacional para a Independência Total de Angola, on 4 April 2002, in signing the Memorandum of Understanding Addendum to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Outstanding Military Issues under the Lusaka Protocol,

Welcoming in particular the efforts of the Government of Angola to restore peaceful and secure conditions in the country and to re-establish effective administration, and the efforts of all Angolans to promote national reconciliation,

Reaffirming its commitment to preserve the sovereignty and territorial integrity of Angola,

Emphasizing the importance of the full implementation of the "Acordos de Paz",[95] the Lusaka Protocol,[96] and the relevant Security Council resolutions, in close cooperation with the United Nations and the troika of observers,

Reaffirming the need for the União Nacional para a Independência Total de Angola to cooperate fully in the demobilization and quartering of soldiers of the União Nacional para a Independência Total de Angola and their reintegration into the armed forces, police and civil society of Angola, as specified in the Memorandum of Understanding,

Recognizing the need for the facilitation of travel by members of the União Nacional para a Independência Total de Angola in order for the peace process and national reconciliation to advance, including to enable reorganization of the União Nacional para a Independência Total de Angola, with the goal of rapid reintegration into national life and fulfilment of all peace accords, *Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides* that the measures imposed by paragraphs 4 (*a*) and (*b*) of resolution 1127 (1997) are suspended for a period of ninety days from the date of adoption of the present resolution;

2. *Decides* that prior to the end of that period the Council will decide whether to extend the suspension of the measures referred to in paragraph 1 above, taking into account all available information, including from the Government of Angola, on the continuing progress of the process of national reconciliation in Angola;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4536th meeting.

Decisions

On 28 June 2002, the President of the Security Council addressed the following letter to the Secretary-General:[105]

> "I have the honour to inform you that your letter dated 25 June 2002 concerning Angola[106] has been brought to the attention of the members of the Security Council.
>
> "They take note of the information contained in your letter and agree with your proposal to deploy up to ten military liaison officers to Angola to support the implementation of the Memorandum of Understanding Addendum to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Outstanding Military Issues under the Lusaka Protocol. They also look forward to receiving the report of the integrated assessment team dispatched to Angola and your recommendations to the Council with regard to the tasks and the mandate of the United Nations presence in Angola."

On 16 July 2002, the President of the Security Council addressed the following letter to the Secretary-General:[107]

> "I have the honour to inform you that, as you requested, your recommendation in your letter dated 11 July 2002 to extend the mandate of the United Nations Office in Angola for a period of one month, until 15 August 2002,[108] has been brought to the attention of the members of the Security Council. They concurred with this recommendation."

At its 4575th meeting, on 17 July 2002, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

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[105] S/2002/715.

[106] S/2002/714.

[107] S/2002/769.

[108] S/2002/768.

THE SITUATION IN SIERRA LEONE

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1995.]

Decisions

At its 4264th meeting, on 25 January 2001, the Security Council decided to invite the representatives of Belgium, Burkina Faso, Canada, Côte d'Ivoire, the Gambia, Guinea, Liberia, Niger, Sierra Leone and Sweden to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Note by the President of the Security Council (S/2000/1195)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Anwarul Karim Chowdhury, Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone.

At the same meeting, the Council further decided to extend an invitation to the Permanent Observer of Switzerland to the United Nations to participate in the discussion.

On 31 January 2001, the President of the Security Council addressed the following letter to the Secretary-General:[109]

> "The members of the Security Council express their deep appreciation for your letter dated 12 January 2001.[110] The members of the Council share your analysis of the importance and role of the phrase 'persons who bear the greatest responsibility'. The members of the Council, moreover, share your view that the words beginning with 'those leaders who' are intended as guidance to the Prosecutor in determining his or her prosecutorial strategy.
>
> "The members of the Council are not in agreement that it would be appropriate in the case of the Special Court for Sierra Leone to be formed pursuant to resolution 1315 (2000) of 4 August 2000 for the President of the Special Court to be empowered in the manner suggested in the proposed reformulation of article 1 (*c*) of the draft statute of the Court.
>
> "The members of the Council continue to believe it is extremely unlikely that juvenile offenders will in fact come before the Special Court and that other institutions, such as the Truth and Reconciliation Commission, are better suited to address cases involving juveniles. With that said, members of the Council are pleased to concur in your suggested redrafting of article 7.
>
> "The members of the Council, moreover, appreciate the spirit of understanding and compromise you have shown with regard to the funding of the exercise. The members of the Council recognize that you will need to undertake the tasks involved in establishing the Court in a manner which reflects the process pursuant to which your requirements concerning funding are being complied with.
>
> "The members of the Council, moreover, are in concurrence with your proposal to seek concurrent information from States with respect to their preparedness to contribute funds, services and personnel before the entry into force of the agreement with the Government of Sierra Leone."

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[109] S/2001/95.

[110] S/2001/40.

At its 4306th meeting, on 30 March 2001, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Ninth report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2001/228)".

Resolution 1346 (2001)
of 30 March 2001

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Expressing its continued concern at the fragile security situation in Sierra Leone and neighbouring countries, in particular at the continued fighting in the border regions of Sierra Leone, Guinea and Liberia, and at the grave humanitarian consequences for the civilian, refugee and internally displaced populations in those areas,

Recognizing the importance of the progressive extension of State authority throughout the entire country, political dialogue and national reconciliation, the full implementation of a disarmament, demobilization and reintegration programme, the legitimate exploitation of the natural resources of Sierra Leone for the benefit of its people, full respect for the human rights of all and the rule of law, effective action on the issues of impunity and accountability, the voluntary and unhindered return of refugees and internally displaced persons, the holding by the Government of Sierra Leone of free, fair and transparent elections and the formulation of a long-term plan for the peace process in order to achieve sustainable peace and security in Sierra Leone, and stressing that the United Nations should continue to support the fulfilment of these objectives,

Having considered the report of the Secretary-General of 14 March 2001,[111]

1. *Decides* that the mandate of the United Nations Mission in Sierra Leone, established pursuant to its resolutions 1270 (1999) of 22 October 1999 and 1289 (2000) of 7 February 2000, shall be extended for a period of six months from the date of the adoption of the present resolution;

2. *Decides also* to increase the military component of the Mission to a strength of 17,500, including the 260 military observers already deployed, as recommended by the Secretary-General in paragraphs 99 and 100 of his report;

3. *Welcomes* the revised concept of operations for the Mission, as set out in paragraphs 57 to 67 of the report of the Secretary-General, and the progress already made towards its implementation, and encourages the Secretary-General to proceed to its completion;

4. *Expresses its appreciation* to those Member States providing additional troops and support elements to the Mission and to those which have made commitments to do so, encourages the Secretary-General to continue his efforts to seek, if necessary, further properly trained and equipped forces to strengthen the military components of the Mission in order to enable the it to implement fully its revised concept of operations, and requests the Secretary-General to inform the Security Council upon receipt of firm commitments to that end;

5. *Requests* the Secretary-General to inform the Council at regular intervals of progress made by the Mission in the implementation of key aspects of its concept of operations, and also

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[111] S/2001/228.

requests him to provide an assessment in his next report of steps taken to improve the effectiveness of the Mission;

6. *Expresses its deep concern* at the reports of human rights abuses committed by the Revolutionary United Front and others, including other military groups, against the civilian population, in particular the harassment and forced recruitment of adults and children for fighting and forced labour, demands that these acts cease immediately, and requests the Secretary-General to ensure that all human rights monitoring positions within the Mission are filled in order to address the concerns raised in paragraphs 44 to 51 of his report;

7. *Expresses its deep concern also* that the Agreement on the Ceasefire and Cessation of Hostilities between the Government of the Republic of Sierra Leone and the Revolutionary United Front, signed in Abuja on 10 November 2000,[112] has not been fully implemented, and demands that the Revolutionary United Front take immediate steps to fulfil its commitments under the Agreement to ensure full liberty for the United Nations to deploy its troops throughout the country, free movement of persons and goods, the unimpeded movement of humanitarian agencies, refugees and displaced persons and the immediate return of all seized weapons, ammunition and other equipment, and to recommence active participation in the disarmament, demobilization and reintegration programme;

8. *Requests*, in this respect, the Mission to maintain its support, within its capabilities and areas of deployment, for returning refugees and displaced persons and to encourage the Revolutionary United Front to cooperate to this end in fulfilment of its commitments under the Abuja Ceasefire Agreement;

9. *Requests* the Secretary-General to submit to the Council his views on how to take forward the issue of refugees and internally displaced persons, including their return;

10. *Calls upon* all the parties to the Sierra Leone conflict to intensify their efforts towards the full and peaceful implementation of the Abuja Ceasefire Agreement and the resumption of the peace process, taking into account the basis of the Agreement and relevant Council resolutions, and urges Governments and regional leaders concerned to continue their full cooperation with the Economic Community of West African States and the United Nations to promote these efforts, and, in particular, to use their influence with the leaders of the Revolutionary United Front to obtain their cooperation towards achievement of the above-mentioned goals;

11. *Encourages* the efforts of the Economic Community of West African States towards a lasting and final settlement of the crisis in the Mano River Union region caused by the continued fighting in the border areas of Sierra Leone, Guinea and Liberia, and underlines the importance of the political support that the United Nations can provide to these efforts in order to stabilize the region;

12. *Notes* the responsibilities to be undertaken by the Mission in support of the disarmament, demobilization and reintegration programme of the Government of Sierra Leone, notably the decision to provide an enhanced management role as referred to in paragraphs 76 to 79 of the report of the Secretary-General, commends the Government of Sierra Leone for the improvements it has already brought about in the programme, encourages it to take the necessary urgent decisions to allow finalization of the programme, and dissemination of information on its benefits and conditions, to proceed expeditiously, and also encourages international organizations and donor countries to support generously the efforts of the Government of Sierra Leone in this regard;

13. *Emphasizes* that the development and extension of the administrative capacities of Sierra Leone are also essential to sustainable peace and development in the country, and therefore urges the Government of Sierra Leone to take the necessary practical steps to prepare for and

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[112] S/2000/1091, annex.

bring about the restoration of civil authority and basic public services throughout its territory, including in the locations where the Mission is expected to deploy in accordance with its concept of operations, and encourages States, other international organizations and non-governmental organizations to provide appropriate assistance in this regard;

14. *Encourages* the Government of Sierra Leone, together with the Secretary-General, the United Nations High Commissioner for Human Rights and other relevant international actors, to expedite the establishment of the Truth and Reconciliation Commission and the Special Court for Sierra Leone envisaged by resolution 1315 (2000) of 14 August 2000, bearing in mind, in particular, the need to ensure the appropriate protection of children;

15. *Welcomes* the intention of the Secretary-General to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries, with any additional recommendations, including, if necessary, for a further strengthening of the military component of the Mission, for the completion of the planned concept of operations to fulfil the overall objective of assisting the Government of Sierra Leone to re-establish its authority throughout the country, including in the diamond-producing areas, and to create the necessary conditions for the conduct of free, fair and transparent elections in due course under the authority of the Government of Sierra Leone;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4306th meeting.

Decisions

At its 4340th meeting, on 28 June 2001, the Security Council decided to invite the representatives of Canada, Nigeria, Pakistan, Sierra Leone and Sweden to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Tenth report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2001/627)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Oluyemi Adeniji, Special Representative of the Secretary-General and Head of the United Nations Mission in Sierra Leone.

On 23 July 2001, the President of the Security Council addressed the following letter to the Secretary-General:[113]

> "Members of the Security Council have carefully reviewed your letter dated 12 July 2001 in which you detail plans to move forward with establishment of a special court for Sierra Leone,[114] including the creation of a trust fund for donor contributions to the special court; the dispatching of a planning mission to Freetown to assess personnel and service needs and the conclusion of an agreement between the United Nations and the Government of Sierra Leone to establish a legal framework for commencement of the operation of the court.
>
> "Members of the Council welcome these developments as a positive step forward in bringing justice to the people of Sierra Leone. Members of the Council support the process of regular informal consultations between the Secretariat and a group of interested States to continue planning for the establishment and operation of the Special Court. Members of the

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[113] S/2001/722.

[114] S/2001/693.

Council intend to use their best efforts to encourage donor States that have pledged support to expedite the transfer of funds to the trust account within the prescribed time frame indicated in your letter or shortly thereafter."

At its 4374th meeting, on 18 September 2001, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Eleventh report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2001/857 and Add.1)".

Resolution 1370 (2001)
of 18 September 2001

The Security Council,

Recalling its resolutions 1270 (1999) of 22 October 1999, 1289 (2000) of 7 February 2000, 1313 (2000) of 4 August 2000, 1317 (2000) of 5 September 2000, 1321 (2000) of 20 September 2000 and 1346 (2001) of 30 March 2001, and the statement by its President of 3 November 2000,[115] and all other relevant resolutions and statements by its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Expressing its concern at the fragile security situation in the Mano River countries, in particular the continued fighting in Liberia, and at the humanitarian consequences for the civilian, refugee and internally displaced populations in those areas,

Welcoming the progress made in the peace process aimed at achieving sustainable peace and security in Sierra Leone, and commending the positive role of the United Nations Mission in Sierra Leone in advancing the peace process,

Recognizing the importance of the progressive extension of State authority throughout the entire country, political dialogue and national reconciliation, the holding by the Government of Sierra Leone of free, fair and transparent elections, the transformation of the Revolutionary United Front into a political party, full respect for the human rights of all and the rule of law, effective action on the issues of impunity and accountability, the voluntary and unhindered return of refugees and internally displaced persons, the full implementation of a disarmament, demobilization and reintegration programme and the legitimate exploitation of the natural resources of Sierra Leone for the benefit of its people, and stressing that the United Nations should continue to support the fulfilment of these objectives,

Having considered the report of the Secretary-General of 7 September 2001,[116]

1. *Decides* that the mandate of the United Nations Mission in Sierra Leone shall be extended for a period of six months from 30 September 2001;

2. *Expresses its appreciation* to those Member States providing troops and support elements to the Mission and those which have made commitments to do so;

3. *Requests* the Secretary-General to inform the Security Council at regular intervals of progress made by the Mission in the implementation of key aspects of its concept of operations, and also requests him to provide an assessment in his next report on steps taken to improve the effectiveness of the Mission;

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[115] S/PRST/2000/31.

[116] S/2001/857 and Add.1.

4. *Expresses its continued deep concern* at the reports of human rights abuses and attacks committed by the Revolutionary United Front, the Civil Defence Force and other armed groups and individuals against the civilian population, in particular the widespread violation of the human rights of women and children, including sexual violence, demands that these acts cease immediately, and requests the Secretary-General to ensure that all human rights monitoring positions within the Mission are filled in order to address the concerns raised in paragraphs 40 to 43 of his report;[116]

5. *Welcomes* the efforts made by the Government of Sierra Leone and the Revolutionary United Front towards full implementation of the Agreement on the Ceasefire and Cessation of Hostilities between the Government of the Republic of Sierra Leone and the Revolutionary United Front, signed in Abuja on 10 November 2000,[112] and reaffirmed at the meeting of the Economic Community of West African States, the United Nations, the Government of Sierra Leone and the Revolutionary United Front at Abuja on 2 May 2001, and encourages them to continue those efforts;

6. *Urges*, in particular, the Revolutionary United Front to step up its efforts to fulfil its commitment under the Abuja Ceasefire Agreement to ensure full liberty for the United Nations to deploy its troops throughout the country and also, with a view to restoring the authority of the Government of Sierra Leone throughout the country, to ensure the free movement of persons, goods and humanitarian assistance, the unimpeded and safe movement of humanitarian agencies, refugees and displaced persons and the immediate return of all seized weapons, ammunition and other equipment;

7. *Encourages* the Government of Sierra Leone and the Revolutionary United Front to continue to take steps towards the furthering of dialogue and national reconciliation, and in this regard stresses the importance of the reintegration of the Revolutionary United Front into Sierra Leonean society and its transformation into a political party, and demands that the Revolutionary United Front cease any effort at maintaining options for military action;

8. *Requests* the Mission to continue to support, within its capabilities and areas of deployment, returning refugees and displaced persons, and urges the Revolutionary United Front to cooperate to this end in fulfilment of its commitments under the Abuja Ceasefire Agreement;

9. *Requests* the Secretary-General to provide the Council, further to his report of 23 May 2001,[117] with an update of his views on how to take forward the issue of refugees and internally displaced persons, including their return;

10. *Urges* Governments and regional leaders concerned to continue their full cooperation with the Economic Community of West African States and the United Nations to promote the efforts of all parties to the Sierra Leone conflict towards the full and peaceful implementation of the Abuja Ceasefire Agreement, and to provide assistance to that end;

11. *Encourages* the ongoing efforts of the Economic Community of West African States towards a lasting and final settlement of the crisis in the Mano River Union region, and underlines the importance of the continuing political and other support that the United Nations provides to these efforts, in order to stabilize the region;

12. *Welcomes* the positive impact of progress made in the Sierra Leone peace process on the situation in the Mano River basin, including the recent ministerial meetings of the Mano River Union and the prospects for a summit meeting of Mano River Union Presidents, and in this regard encourages the efforts of the Mano River Women's Peace Network towards regional peace;

13. *Emphasizes* the importance of a successful disarmament, demobilization and reintegration programme to long-term stability in Sierra Leone, welcomes the progress made in

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[117] S/2001/513 and Corr.1.

that process, and urges the Revolutionary United Front, the Civil Defence Force and other groups to continue their commitment to, and active participation in, the programme;

14. *Expresses concern* at the serious financial shortfall in the multi-donor trust fund for the disarmament, demobilization and reintegration programme, and urges international organizations and donor countries to support generously and urgently the efforts of the Government of Sierra Leone in this regard, as well as provide additional funds for the wide range of urgently needed post-conflict activities, including humanitarian and rehabilitation requirements;

15. *Emphasizes* the importance of free, fair, transparent and inclusive elections for the long-term stability of Sierra Leone, and notes the readiness of the Mission to provide support, within its capabilities, to facilitate the smooth holding of the elections;

16. *Emphasizes also* that the development and extension of the administrative capacities of Sierra Leone are essential to sustainable peace and development in the country and to the holding of free, fair and transparent elections, and therefore urges the Government of Sierra Leone, with the assistance of the Mission, in accordance with its mandate, to accelerate and coordinate efforts to restore civil authority and basic public services throughout the country, including in the diamond mining areas, including by the deployment of key administrative officials and the Sierra Leonean police and the progressive involvement of the Sierra Leone Army in providing border security against external forces, and encourages States, other international organizations and non-governmental organizations to provide appropriate assistance in this regard;

17. *Encourages* the Government of Sierra Leone, together with the Secretary-General, the United Nations High Commissioner for Human Rights and other relevant international actors, to expedite the establishment of the Truth and Reconciliation Commission and the Special Court for Sierra Leone envisaged by resolution 1315 (2000) of 14 August 2000, bearing in mind, in particular, the need to ensure the appropriate protection of children, and urges donors urgently to commit funds for the Commission and to disburse their financial pledges to the Trust Fund for the Special Court;

18. *Welcomes* the intention of the Secretary-General to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries, with any additional recommendations, including on how the Mission will provide support to the Government of Sierra Leone in holding elections;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4374th meeting.

Decision

At its 4442nd meeting, on 19 December 2001, the Security Council considered the item entitled "The situation in Sierra Leone".

Resolution 1385 (2001)
of 19 December 2001

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone, in particular resolutions 1132 (1997) of 8 October 1997, 1171 (1998) of 5 June 1998, 1299 (2000) of 19 May 2000 and 1306 (2000) of 5 July 2000,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Welcoming the significant progress made in the peace process in Sierra Leone, including in the disarmament, demobilization and reintegration programme, and the efforts of the Government to extend its authority over the diamond-producing areas, with the assistance of the United

Nations Mission in Sierra Leone, but noting that it has not yet established effective authority over those areas,

Expressing its continued concern at the role played by the illicit trade in diamonds in the conflict in Sierra Leone,

Welcoming General Assembly resolution 55/56 of 1 December 2000, as well as ongoing efforts by interested States, the diamond industry, in particular the World Diamond Council, and non-governmental organizations to break the link between illicit trade in rough diamonds and armed conflict, particularly through the significant progress made by the Kimberley Process, and encouraging further progress in this regard,

Welcoming also the establishment of a certification regime in relation to exports by Guinea of rough diamonds and the continued efforts of the Economic Community of West African States as well as West African countries towards developing a region-wide certification regime,

Emphasizing the responsibility of all Member States, including diamond importing countries, for fully implementing the measures in resolution 1306 (2000),

Noting the views of the Government of Sierra Leone on the extension of the measures imposed by paragraph 1 of resolution 1306 (2000),

Determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the establishment and implementation of the certificate-of-origin regime for trade in diamonds in Sierra Leone and the export of rough diamonds from Sierra Leone certified under that regime;

2. *Welcomes also* reports that the certificate-of-origin regime is helping to curb the flow of conflict diamonds out of Sierra Leone;

3. *Decides* that the measures imposed by paragraph 1 of resolution 1306 (2000) shall remain in force for a new period of eleven months from 5 January 2002, except that, pursuant to paragraph 5 of resolution 1306 (2000), rough diamonds controlled by the Government of Sierra Leone under the certificate-of-origin regime shall continue to be exempt from these measures, and affirms that, in addition to its six-monthly review in accordance with paragraph 15 of resolution 1306 (2000), at the end of that period it will review the situation in Sierra Leone, including the extent of the Government's authority over the diamond-producing areas, in order to decide whether to extend these measures for a further period and, if necessary, to modify them or adopt further measures;

4. *Decides also* that the measures imposed by paragraph 1 of resolution 1306 (2000) as extended by paragraph 3 above, shall be terminated immediately if the Security Council determines that it would be appropriate to do so;

5. *Requests* the Secretary-General to publicize the provisions of the present resolution and the obligations imposed by it;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4442nd meeting.

Decision

At its 4451st meeting, on 16 January 2002, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Twelfth report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2001/1195 and Add.1)".

Resolution 1389 (2002)
of 16 January 2002

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Welcoming the significant progress made in the peace process in Sierra Leone, determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region, and calling for the further consolidation and advancement of the peace process,

Welcoming also the official completion of the disarmament process, calling for the continuation of efforts to collect arms remaining in the hands of the civilian population, including ex-combatants, and urging the international community to provide adequate resources for the reintegration programme,

Emphasizing the importance of free, fair, transparent and inclusive elections for the long-term stability of Sierra Leone, and in this regard stressing the importance of all political parties having the freedom to campaign and having unrestricted access to the media,

Welcoming the progress made by the Government of Sierra Leone and the National Electoral Commission of Sierra Leone in preparing for elections, with the assistance of the United Nations Mission in Sierra Leone, and encouraging further efforts, particularly by the National Electoral Commission, in this regard,

Stressing the primary responsibility of the Sierra Leonean police for the maintenance of law and order,

Having considered the report of the Secretary-General of 13 December 2001,[118] and noting the request by the National Electoral Commission to the United Nations to provide support for the elections,

1. *Decides* that, further to paragraph 8 (*i*) of resolution 1270 (1999) of 22 October 1999, in order to facilitate the smooth holding of elections, the United Nations Mission in Sierra Leone shall undertake election-related tasks within the parameters set out in paragraphs 48 to 62 of the report of the Secretary-General,[118] within its existing mandate, capabilities and areas of deployment and in the light of conditions on the ground, and decides that these tasks shall include:

(*a*) Assisting with logistic support to the National Electoral Commission of Sierra Leone for the transport of electoral materials and personnel, including the use of the air assets of the Mission to reach areas inaccessible by road, the storage and distribution of election materials prior to the elections, the movement of ballot papers after the elections, logistic assistance to international election observers and the use of the civilian communications facilities of the Mission in the provinces;

(*b*) Facilitating the free movement of people, goods and humanitarian assistance throughout the country;

(*c*) Providing wider security and deterrence, through its presence and within the framework of its mandate, throughout the period of preparation for the elections, the polling period itself and the period immediately after the announcement of the election results and, exceptionally, being prepared to respond to situations of public disorder, with the Sierra Leonean police taking the lead, especially in the vicinity of polling stations and the locations of other related activities;

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[118] S/2001/1195 and Add.1.

2. *Reiterates its authorization* to the Mission, under Chapter VII of the Charter of the United Nations, as provided for in resolution 1270 (1999) and resolution 1289 (2000) of 7 February 2000, to take the necessary action to fulfil the tasks set out in paragraphs 1 (*b*) and (*c*) above, and reaffirms that, in the discharge of its mandate, the Mission may take the necessary action to ensure the security and freedom of movement of its personnel and, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence, taking into account the responsibilities of the Government of Sierra Leone, including the Sierra Leonean police;

3. *Authorizes* the increase in the United Nations civilian police proposed by the Secretary-General in his report, encourages him to request a further increase if appropriate, and endorses the his recommendation that the United Nations civilian police should perform the following tasks:

(*a*) Advise and support the Sierra Leonean police in carrying out their election-related responsibilities;

(*b*) Assist the Sierra Leonean police to devise and implement an electoral training programme for their personnel, focused mainly on establishing security for public events, human rights and police conduct;

4. *Welcomes* the interim establishment of an electoral component in the Mission aimed at strengthening the contribution of the Mission to facilitating, in particular, the coordination of electoral activities between the National Electoral Commission, the Government of Sierra Leone and other national and international stakeholders;

5. *Welcomes also* the intention of the Mission, as indicated in the report of the Secretary-General, to establish in each electoral region an electoral office from which to monitor the electoral process, and to provide, within available resources, assistance to international election observers;

6. *Notes with appreciation* the ongoing support provided by the Public Information Section of the Mission to the National Electoral Commission in designing and implementing a civic education and public information strategy, and encourages the Mission to continue these efforts;

7. *Underlines* the responsibility of the Government of Sierra Leone and the National Electoral Commission for the holding of free and fair elections, and encourages the international community to provide generous support and assistance to that end;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4451st meeting.

Decision

At its 4500th meeting, on 28 March 2002, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Thirteenth report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2002/267)".

Resolution 1400 (2002)
of 28 March 2002

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone, *Affirming* the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Welcoming the summit meeting of the Mano River Union Presidents held in Rabat on 27 February 2002 at the invitation of the King of Morocco,

Welcoming also the further progress made in the peace process in Sierra Leone, including the lifting of the state of emergency, commending the positive role of the United Nations Mission in Sierra Leone in advancing the peace process, and calling for its further consolidation,

Encouraging the Mano River Women's Peace Network and other civil society initiatives to continue their contribution towards regional peace,

Determining that the situation in Sierra Leone continues to constitute a threat to peace and security in the region,

Expressing its concern at the fragile situation in the Mano River region, the substantial increase in refugees and the humanitarian consequences for the civilian, refugee and internally displaced populations in the region,

Emphasizing the importance of free, fair, transparent and inclusive elections, and welcoming the progress made by the Government of Sierra Leone and the National Electoral Commission of Sierra Leone in preparing for elections, particularly with voter registration,

Reiterating the importance of the effective extension of State authority throughout the country, the reintegration of ex-combatants, the voluntary and unhindered return of refugees and internally displaced persons, full respect for human rights and the rule of law and effective action on impunity and accountability, paying special attention to the protection of women and children, and stressing continued United Nations support for the fulfilment of these objectives,

Welcoming the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, signed on 16 January 2002, and the recommendations of the Planning Mission on the Establishment of the Special Court for Sierra Leone,[119] and of the Secretary-General in his report of 14 March 2002[120] that the Mission should provide administrative and related support to the Special Court,

Emphasizing the importance of the continuing support of the Mission to the Government of Sierra Leone in the consolidation of peace and stability after the elections,

Having considered the report of the Secretary-General,

1. *Decides* that the mandate of the United Nations Mission in Sierra Leone shall be extended for a period of six months from 30 March 2002;

2. *Expresses its appreciation* to those Member States providing troops and support elements to the Mission and those which have made commitments to do so;

3. *Welcomes* the military concept of operations for the Mission for 2002 outlined in paragraph 10 of the report of the Secretary-General,[120] and requests the Secretary-General to inform the Security Council at regular intervals of progress made by the Mission in the implementation of its key aspects and in the planning of its subsequent phases;

4. *Encourages* the Government of Sierra Leone and the Revolutionary United Front to strengthen their efforts towards full implementation of the Agreement on the Ceasefire and Cessation of Hostilities between the Government of the Republic of Sierra Leone and the Revolutionary United Front, signed in Abuja on 10 November 2000,[112] and reaffirmed at the

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[119] S/2002/246, appendix.

[120] S/2002/267.

meeting of the Economic Community of West African States, the United Nations, the Government of Sierra Leone and the Revolutionary United Front held at Abuja on 2 May 2001;

5. *Also encourages* the Government of Sierra Leone and the Revolutionary United Front to continue to take steps towards the furthering of dialogue and national reconciliation, and in this regard stresses the importance of the reintegration of the Revolutionary United Front into Sierra Leonean society and its transformation into a political party, and demands the immediate and transparent dismantling of all non-government military structures;

6. *Welcomes* the formal completion of the disarmament process, expresses concern at the serious financial shortfall in the multi-donor trust fund for the disarmament, demobilization and reintegration programme, and urges the Government of Sierra Leone to seek actively the urgently needed additional resources for reintegration;

7. *Emphasizes* that the development of the administrative capacities of the Government of Sierra Leone is essential to sustainable peace and development and to the holding of free and fair elections, and therefore urges the Government of Sierra Leone, with the assistance of the Mission in accordance with its mandate, to accelerate the restoration of civil authority and public services throughout the country, in particular in the diamond mining areas, including the deployment of key government personnel and police and the deployment of the Sierra Leone Army on border security tasks, and calls upon States, international organizations and non-governmental organizations to assist in the wide range of recovery efforts;

8. *Welcomes* the establishment of the electoral component of the Mission and the recruitment of thirty additional civilian police advisers to support the Government of Sierra Leone and the Sierra Leonean police in preparing for elections;

9. *Welcomes also* the signature of the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone,[119] as envisaged by resolution 1315 (2000) of 14 August 2000, urges donors urgently to disburse their pledges to the Trust Fund for the Special Court, looks forward to the Court expeditiously beginning its operations, and endorses the Mission providing, without prejudice to its capabilities to perform its specified mandate, administrative and related support to the Court on a cost-reimbursable basis;

10. *Welcomes further* the progress made by the Government of Sierra Leone, together with the Secretary-General, the United Nations High Commissioner for Human Rights and other relevant international actors, in establishing the Truth and Reconciliation Commission, and urges donors urgently to commit funds to it;

11. *Welcomes* the summit meeting of the Mano River Union Presidents, urges the Presidents to continue dialogue and to implement their commitments to building regional peace and security, and encourages the ongoing efforts of the Economic Community of West African States towards a lasting and final settlement of the crisis in the Mano River Union region;

12. *Expresses its serious concern* at the violence, particularly sexual violence, suffered by women and children during the conflict in Sierra Leone, and emphasizes the importance of addressing these issues effectively;

13. *Expresses its serious concern also* at the evidence the Mission has found of human rights abuses and breaches of humanitarian law, set out in paragraphs 38 to 45 of the report of the Secretary-General,[120] encourages the Mission to continue its work, and in this context requests the Secretary-General to provide a further assessment in his September report, particularly regarding the situation of women and children who have suffered during the conflict;

14. *Expresses its serious concern further* at allegations that some United Nations personnel may have been involved in sexual abuse of women and children in camps for refugees and internally displaced persons in the region, supports the policy of the Secretary-General of zero-tolerance for such abuse, looks forward to the report of the Secretary-General on the outcome of the investigation into those allegations, and requests him to make recommendations on how to

prevent any such crimes in future, while calling upon States concerned to take the necessary measures to bring to justice their own nationals responsible for such crimes;

15. *Encourages* the continued support of the Mission, within its capabilities and areas of deployment, for returning refugees and displaced persons, and urges all stakeholders to continue to cooperate to this end to fulfil their commitments under the Abuja Ceasefire Agreement;

16. *Welcomes* the intention of the Secretary-General to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries, with any additional recommendations and, in particular, requests the Secretary-General to submit before 30 June 2002 an interim report assessing the post-electoral situation and the prospects for peace consolidation;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4500th meeting.

Decisions

At its 4539th meeting, on 22 May 2002, the Security Council considered the item entitled "The situation in Sierra Leone".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[121]

> "The Security Council welcomes the elections held in Sierra Leone on 14 May 2002. It congratulates the people of Sierra Leone on the peaceful and orderly way in which the elections were held. It commends the National Electoral Commission and all those responsible for the successful management of the elections, and commends the United Nations Mission in Sierra Leone for its invaluable supporting role. The Council notes that the various electoral observation groups were impressed by the commitment to democracy and determination to vote of the people of Sierra Leone. The Council calls upon all political parties and their supporters to work together to strengthen democracy and thereby assure continuing peace.
>
> "The Council considers the elections an important milestone on the road to peace and security in Sierra Leone and the Mano River region. The next challenge for Sierra Leone and the international community is the further consolidation of peace. There is much still to do, including the extension of public services to make real the restoration of Government authority throughout the country, the further enhancement of the operational effectiveness of the security sector, and the effective reintegration of all ex-combatants. A sustained effort from the international community will be needed to achieve our shared objective of sustainable peace and security, which must be the basis for Sierra Leone's economic regeneration and future development. The Council urges all donors to contribute generously towards these ends, including by providing urgently needed funds to the Special Court for Sierra Leone and the Truth and Reconciliation Commission.
>
> "The Council will continue to pay close attention to developments in Sierra Leone and the Mano River region. The Council requests the Secretary-General to monitor the situation there closely and to keep the Council informed of any significant developments."

At its 4570th meeting, held in private on 11 July 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4570th meeting, held in private on 11 July 2002, the Security Council considered the item entitled 'The situation in Sierra Leone'.

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[121] S/PRST/2002/14.

"The President, with the consent of the members of the Council, invited Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, to participate in the discussion of the item, in accordance with rule 39 of the provisional rules of procedure of the Council.

"The Council heard a briefing by Mr. Guéhenno.

"The Council also heard a briefing by the representative of Mexico, in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone.

"The members of the Council and Mr. Guéhenno had a constructive discussion."

THE SITUATION IN EAST TIMOR

[*Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1976, 1999 and 2000.*]

Decisions

At its 4265th meeting, on 26 January 2001, the Security Council decided to invite the representatives of Australia, Brazil, Chile, Fiji, Indonesia, Japan, Mozambique, New Zealand, the Philippines, the Republic of Korea and Sweden to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/42)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General and Transitional Administrator for East Timor, Mr. José Ramos-Horta, member of the Transitional Cabinet of East Timor responsible for foreign affairs, Mr. Harri Holkeri, President of the General Assembly, Mr. Mark Malloch Brown, Administrator of the United Nations Development Programme, Mr. Klaus Rohland, Country Director for East Timor, Papua New Guinea and Pacific Islands, of the World Bank, and Mr. Luis Valdivieso, Advisor for the Asia and Pacific Department, of the International Monetary Fund.

At its 4268th meeting, on 31 January 2001, the Council considered the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/42)".

Resolution 1338 (2001)
of 31 January 2001

The Security Council,

Reaffirming its previous resolutions on the situation in East Timor, in particular resolutions 1272 (1999) of 25 October 1999 and 1319 (2000) of 8 September 2000, and the relevant statements by its President, in particular those of 3 August[122] and 6 December 2000,[123]

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[122] S/PRST/2000/26.

[123] S/PRST/2000/39.

Having considered the report of the Secretary-General of 16 January 2001,[124]

Commending the work of the United Nations Transitional Administration in East Timor and the leadership of the Special Representative of the Secretary-General,

Expressing support for the steps taken by United Nations Transitional Administration to strengthen the involvement and direct participation of the East Timorese people in the administration of their territory, and urging further measures to delegate authority to the East Timorese people as an essential part of the transition to independence,

Encouraging efforts to achieve the goal of independence for East Timor by the end of 2001, as set out in paragraphs 4 and 50 of the report of the Secretary-General, and acknowledging that it is the responsibility of United Nations Transitional Administration to ensure free and fair elections in collaboration with the East Timorese people,

Reiterating its endorsement of the recommendations contained in the report of the Security Council mission to East Timor and Indonesia of 21 November 2000,[125] in particular the view of the mission that a strong international commitment will be required in East Timor after independence,

Underlining its concern at the continued presence of large numbers of refugees from East Timor in the camps in the province of East Nusa Tenggara, West Timor, and at the security situation there, particularly as it relates to militia activity and the effect on refugees, and stressing the need to find a comprehensive solution to the problem,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[126] and emphasizing the need to take further steps to ensure the safety and security of international personnel in East Timor and Indonesia, in view of the dangers they face,

Welcoming and encouraging efforts by the United Nations to sensitize international personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Emphasizing the need for continued international financial support for East Timor, and urging all those who have made pledges to the Trust Fund for the United Nations Transitional Administration in East Timor to make their contributions expeditiously,

1. *Welcomes* the report of the Secretary-General of 16 January 2001;[124]

2. *Decides* to extend the current mandate of the United Nations Transitional Administration in East Timor until 31 January 2002, bearing in mind the possible need for adjustments related to the independence timetable;

3. *Requests* the Special Representative of the Secretary-General to continue to take steps to delegate progressively further authority within the East Timor Transitional Administration to the East Timorese people until authority is fully transferred to the Government of an independent State of East Timor, as set out in the report of the Secretary-General;

4. *Encourages* the United Nations Transitional Administration, bearing in mind the need to support capacity-building for self-government, to continue to support fully the transition to independence, including through development and training for the East Timorese people;

5. *Calls upon* the international financial institutions, the United Nations funds and programmes and bilateral donors that have committed resources to East Timor to fulfil their commitments and to accelerate disbursements, in particular in areas relevant to peace-building and

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[124] S/2001/42.

[125] S/2000/1105.

[126] General Assembly resolution 49/59, annex.

development assistance, and reaffirms in this regard the continued need for effective coordination of development assistance to East Timor;

6. *Urges* the international community to provide financial and technical assistance for the creation of an East Timor defence force, and encourages and welcomes the coordinating role of the United Nations Transitional Administration in this endeavour;

7. *Underlines* the fact that the United Nations Transitional Administration should respond robustly to the militia threat in East Timor, consistent with its resolution 1272 (1999);

8. *Emphasizes* the need, in the light of the recommendations in the report of the Security Council mission,[125] for measures to address shortcomings in the administration of justice in East Timor, particularly with a view to bringing to justice those responsible for serious crimes in 1999, and for urgent action to expedite the training of the Timor Lorosae Police Service and to attract sufficient resources to develop this police service and the judicial system;

9. *Encourages* the Government of Indonesia, while acknowledging its efforts so far, to continue to take steps, in cooperation with the United Nations Transitional Administration and relevant international agencies, in accordance with resolution 1319 (2000) and the relevant recommendations in the statement by the President of the Security Council of 6 December 2000;[123]

10. *Requests* the Secretary-General to submit to the Council by 30 April 2001 a report on the implementation of the mandate of the United Nations Transitional Administration, which should include, in particular, military and political assessments of the situation on the ground and their implications for the size, structure and deployment of the United Nations Transitional Administration, and expresses its intention to take appropriate steps on the basis of that report expeditiously, taking into account the views of troop-contributing countries;

11. *Stresses* the need for a substantial international presence in East Timor after independence, and requests the Secretary-General to make detailed recommendations in this regard to the Council, within six months of the adoption of the present resolution, which should be developed in close consultation with the East Timorese people and in coordination with other relevant international and bilateral actors, in particular the international financial institutions and the United Nations funds and programmes;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4268th meeting.

Decisions

At its 4308th meeting, on 5 April 2001, the Security Council considered the item entitled "The situation in East Timor".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4321st meeting, on 18 May 2001, the Council decided to invite the representatives of Australia, Brazil, Canada, Indonesia, Japan, New Zealand, Portugal, the Republic of Korea and Sweden to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

> "Interim report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/436)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, Mr. Xanana Gusmão, President of the National Council of Timorese Resistance, and Mr. José Ramos-Horta, member of the Transitional Cabinet of East Timor responsible for foreign affairs.

On 22 May 2001, the President of the Security Council addressed the following letter to the Secretary-General:[127]

> "I have the honour to inform you that your letter dated 18 May 2001 concerning your proposal to add Slovakia to the list of Member States contributing military personnel to the United Nations Transitional Administration in East Timor[128] has been brought to the attention of the members of the Security Council. They take note of the proposal contained therein."

At its 4351st meeting, on 30 July 2001, the Council decided to invite the representatives of Australia, Belgium, Brazil, Canada, Indonesia, Japan, New Zealand, the Philippines, Portugal and the Republic of Korea to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

> "Progress report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/719)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General and Transitional Administrator for East Timor, and Mr. José Ramos-Horta, member of the Transitional Cabinet of East Timor responsible for foreign affairs.

Upon resumption of the meeting, on 30 July 2001, the Council decided to invite the representative of Thailand to participate, without vote, in the discussion of the item.

On 13 August 2001, the President of the Security Council addressed the following letter to the Secretary-General:[129]

> "I have the honour to inform you that your letter dated 7 August 2001 concerning your intention to appoint Lieutenant-General Winai Phattiyakul, of Thailand, to the post of Force Commander of the United Nations Transitional Administration in East Timor[130] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4358th meeting, held in private on 23 August 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4358th meeting, held in private on 23 August 2001, the Security Council considered the item entitled 'The situation in East Timor'.
>
> "The President, with the consent of the Council, invited the representatives of Argentina, Australia, Belgium, Brazil, Canada, Denmark, Finland, Germany, Indonesia, Japan, Mexico, Namibia, the Netherlands, New Zealand, Portugal, the Republic of Korea and Sweden, at their request, to participate in the discussion of the item, without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations. Giving the

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[127] S/2001/510.

[128] S/2001/509.

[129] S/2001/782.

[130] S/2001/781.

details of the election arrangements, Mr. Annabi informed the Council that the electoral campaign in East Timor so far had been conducted in a peaceful manner. He said that political parties and the population at large had shown strong support for the pact of national unity.

"The members of the Council, as well as the representative of Belgium, emphasized the importance of the peaceful conduct of the elections on 30 August 2001. They believed that a peaceful, democratic process would be a major first step towards East Timor's independence, in a complex process of stabilization in East Timor. Speakers encouraged a spirit of peace, democracy and tolerance throughout the electoral process and beyond, and joined the Secretary-General in supporting the heroic efforts of the East Timorese people and in urging a large voter turnout.

"Mr. Annabi responded to the comments and questions."

At its 4367th meeting, on 10 September 2001, the Council decided to invite the representatives of Australia, Belgium, Chile, Indonesia, Japan, New Zealand and Portugal to participate, without vote, in the discussion of the item entitled "The situation in East Timor".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4368th meeting, on 10 September 2001, the Council considered the item entitled "The situation in East Timor".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[131]

"The Security Council recalls its resolutions and the statements by its President on the situation in East Timor.

"The Council warmly welcomes the successful staging on 30 August 2001 of the elections to the first Constituent Assembly of East Timor, in particular the orderly and peaceful conduct of the elections and the very high voter turn-out, which demonstrated the wish of the East Timorese people to establish a full participatory democracy. In that regard, the Council recognizes with appreciation the important role of the East Timorese leadership and welcomes the cooperation extended by the Government of Indonesia during the election period.

"The Council expresses its appreciation to the United Nations Transitional Administration in East Timor for facilitating a smooth and representative election process. The Council calls upon all parties to respect fully and implement the election results, which provide the basis for a broad-based Constituent Assembly. The Council looks forward to the establishment on 15 September 2001 of the Constituent Assembly and the new Cabinet within the framework of resolution 1272 (1999) of 25 October 1999. The Council calls upon all parties to work together to draft a constitution which reflects the will of the East Timorese people and to cooperate for the successful completion of the final steps towards independence, in a complex process of stabilization in East Timor which will take some time and will involve many actors.

"The Council reiterates the importance of a substantial international presence in post-independence East Timor.

"The Council looks forward to receiving the October 2001 report of the Secretary-General, focusing on the transition and post-independence periods."

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[131] S/PRST/2001/23.

At its 4403rd meeting, on 31 October 2001, the Council decided to invite the representatives of Australia, Belgium, Brazil, Brunei Darussalam, Cambodia, Fiji, Indonesia, Japan, Malaysia, Mexico, Mozambique, New Zealand, Papua New Guinea, the Philippines, Portugal, the Republic of Korea and Thailand to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/983 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General and Transitional Administrator for East Timor, Mr. Mari Bin Amude Alkatiri, Chief Minister of the Second Transitional Government of East Timor, Mr. Mats Karlsson, Vice-President, External Affairs and United Nations Affairs, of the World Bank, and Mr. Zéphirin Diabré, Associate Administrator of the United Nations Development Programme.

At its 4404th meeting, on 31 October 2001, the Council considered the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/983 and Corr.1)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[132]

> "The Security Council welcomes the report of the Secretary-General of 18 October 2001.[133]
>
> "The Council expresses its appreciation to the Special Representative of the Secretary-General for East Timor and to the United Nations Transitional Administration in East Timor for their efforts in developing detailed plans for the future United Nations presence in East Timor.
>
> "The Council welcomes the political progress achieved to date towards establishing an independent East Timorese State and endorses the recommendation by the Constituent Assembly that independence be declared on 20 May 2002.
>
> "The Council recalls resolutions 1272 (1999) of 25 October 1999 and 1338 (2001) of 31 January 2001, and other relevant resolutions. It agrees with the assessment of the Secretary-General that premature withdrawal of the international presence could have a destabilizing effect in a number of crucial areas. It further agrees with the assessment of the Secretary-General that the United Nations should remain engaged in East Timor to protect the major achievements so far realized by the Transitional Administration, to build upon those achievements in cooperation with other actors and to assist the East Timorese government in ensuring security and stability.
>
> "The Council takes note of the observation of the Secretary-General that the mandate of the Transitional Administration should be extended until independence and endorses his plans for adjusting the size and configuration of the Transitional Administration in the months prior to independence.
>
> "The Council endorses the recommendations of the Secretary-General for a continued and appropriately reduced United Nations integrated mission in the post-independence period, and requests the Secretary-General to continue planning and preparation for this

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[132] S/PRST/2001/32.

[133] S/2001/983 and Corr.1.

mission, in consultation with the East Timorese people, and to submit further and more detailed recommendations to the Council. The Council agrees that the successor mission would be headed by a Special Representative of the Secretary-General and would comprise a military component, a civilian police component and a civilian component, including experts who would provide crucial assistance to the emergent East Timorese administration. The Council notes that a core number of civilian positions will be critical to the stability of the independent East Timorese Government and agrees that these positions will require assessed funding for a period of between six months and two years after independence. The Council agrees that the new mission should be based on the premise that operational responsibilities should be devolved to the East Timorese authorities as soon as this is feasible, and it supports a continuing process of assessment and downsizing over a period of two years, starting from independence. In this regard, the Council recognizes the essential role of the General Assembly in peace-building and expresses its intention to continue planning for peace-building in close cooperation with the Assembly. The Council acknowledges the importance of a strong focus on justice and human rights in the successor mission and, where appropriate, in other assistance provided to East Timor.

"The Council agrees with the assessment of the Secretary-General that it will be vital that the United Nations contribution is supplemented by multilateral and bilateral arrangements. The Council looks forward to receiving information on the financial implications of the follow-on mission and a detailed assessment of shared responsibilities among the principal interacting players, i.e. the United Nations system, international financial institutions, regional mechanisms and national donors, in their efforts to assist East Timor in its unprecedented transition to self-government."

At its 4462nd meeting, on 30 January 2002, the Council decided to invite the representatives of Australia, Bangladesh, Brazil, Fiji, Indonesia, Japan, New Zealand, the Philippines, Portugal, the Republic of Korea and Spain to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2002/80 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General and Transitional Administrator for East Timor, and Mr. José Ramos-Horta, Senior Minister for Foreign Affairs and Cooperation of the second Transitional Administration of East Timor.

At its 4463rd meeting, on 31 January 2002, the Council considered the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2002/80 and Corr.1)".

Resolution 1392 (2002)
of 31 January 2002

The Security Council,

Reaffirming its previous resolutions on the situation in East Timor, in particular resolutions 1272 (1999) of 25 October 1999 and 1338 (2001) of 31 January 2001, and the relevant statements by its President, in particular that of 31 October 2001,[132]

Commending the work of the United Nations Transitional Administration in East Timor and the leadership of the Special Representative of the Secretary-General in assisting the people of East Timor in laying the foundations for the transition to independence, *Recalling* the endorsement of the Security Council in the statement by its President[132] of the proposal of the Constituent Assembly of East Timor of 19 October 2001 that independence be declared on 20 May 2002, and welcoming the strenuous efforts of the second Transitional Government and the people of East Timor to achieve independence by that date,

Having considered the report of the Secretary-General of 17 January 2002,[134] and taking note of his recommendation that the mandate of the Transitional Administration be extended until the date of independence,

Looking forward to receiving further specific proposals from the Secretary-General for the mandate and structure for a successor United Nations mission after independence, at least one month before the date of independence,

1. *Welcomes* the report of the Secretary-General of 17 January 2002;[134]

2. *Decides* to extend the current mandate of the United Nations Transitional Administration in East Timor until 20 May 2002;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4463rd meeting.

Decisions

On 4 April 2002, the President of the Security Council addressed the following letter to the Secretary-General:[135]

> "I have the honour to inform you that your letter dated 2 April 2002 concerning your intention to appoint Mr. Kamalesh Sharma, of India, as your Special Representative and Head of the United Nations Transitional Administration in East Timor[136] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4522nd meeting, on 26 April 2002, the Council decided to invite the representatives of Australia, Brazil, Chile, Egypt, Fiji, Indonesia, Japan, Malaysia, New Zealand, Portugal, the Republic of Korea, Spain, Thailand and Ukraine to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2002/432 and Add.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, Mr. Xanana Gusmão, President-elect of East Timor, and Mr. Mari Bin Amude Alkatiri, Chief Minister of East Timor.

Upon resumption of the meeting, on 29 April 2002, the Council decided to invite the representative of the Philippines to participate, without vote, in the discussion of the item.

At its 4534th meeting, on 17 May 2002, the Council considered the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2002/432 and Add.1)".

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[134] S/2002/80 and Corr.1.

[135] S/2002/351.

[136] S/2002/350.

Resolution 1410 (2002)
of 17 May 2002

The Security Council,

Reaffirming its previous resolutions on the situation in East Timor, in particular resolutions 1272 (1999) of 25 October 1999, 1338 (2001) of 31 January 2001 and 1392 (2002) of 31 January 2002, and the relevant statements by its President, in particular that of 31 October 2001,[132]

Commending the courage and vision of the people of East Timor in bringing East Timor to the point of independence by peaceful and democratic means,

Paying tribute to the dedication and professionalism of the United Nations Transitional Administration in East Timor and to the leadership of the Special Representative of the Secretary-General in assisting the people of East Timor in the transition towards independence,

Reiterating its welcome for the successful and peaceful election of the Constituent Assembly, held on 30 August 2001, and the election of the President, held on 14 April 2002,

Welcoming the commitment by the elected leaders of East Timor to lead their country in solidarity, welcoming also the steps they have taken so far to establish good relations with neighbouring States, and recognizing the primary responsibility of the people of East Timor for nation-building,

Noting that the emerging institutions in East Timor remain fragile and that in the period immediately after independence assistance will be required to ensure sustained momentum in the development and strengthening of the infrastructure, public administration, law enforcement and defence capacities of East Timor,

Noting with concern the assessment of the Secretary-General of the difficulties which have had a negative impact on the effectiveness of the judicial system in East Timor, and calling upon all relevant parties to work towards progress in this area,

Having considered the report of the Secretary-General of 17 April 2002;[137]

Welcoming his recommendation that a successor mission to the Transitional Administration be established for a period of two years,

Taking note of the joint letter dated 20 April 2002 from the President-elect of East Timor and the Chief Minister of East Timor addressed to the President of the Security Council,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[126]

Welcoming the intention of the Secretary-General to appoint the Resident Coordinator of the United Nations Development Programme as his deputy Special Representative, and underlining the importance of a smooth transition of the role of the United Nations towards traditional development assistance,

Welcoming and encouraging efforts by the United Nations to sensitize international personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Recognizing the importance of a gender perspective in peacekeeping operations,

Noting the existence of challenges to the short- and long-term security and stability of an independent East Timor, and determining that ensuring the security of the boundaries of East Timor and preserving its internal and external stability are necessary for the maintenance of peace and security in the region,

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[137] S/2002/432 and Add.1.

1. *Decides* to establish, as of 20 May 2002 and for an initial period of twelve months, a United Nations Mission of Support in East Timor;

2. *Decides also* that the mandate of the Support Mission shall consist of the following elements:

(*a*) To provide assistance to core administrative structures critical to the viability and political stability of East Timor;

(*b*) To provide interim law enforcement and public security and to assist in the development of a new law enforcement agency in East Timor, the East Timor Police Service;

(*c*) To contribute to the maintenance of the external and internal security of East Timor;

3. *Decides further* that the Support Mission will be headed by a Special Representative of the Secretary-General and will consist of:

(*a*) A civilian component comprising an office of the Special Representative with focal points for gender and HIV/AIDS, a civilian support group of up to one hundred personnel filling core functions, a serious crimes unit and a human rights unit;

(*b*) A civilian police component initially comprising 1,250 officers;

(*c*) A military component with an initial strength of up to 5,000 troops, including 120 military observers;

4. *Requests* the Support Mission to give full effect to the following three programmes of the mandate implementation plan as set out in section III.A.3 of the report of the Secretary-General:[137]

(*a*) Stability, democracy and justice;

(*b*) Public security and law enforcement;

(*c*) External security and border control;

5. *Decides* that internationally accepted human rights principles should form an integral part of training and capacity-building carried out by the Support Mission under paragraph 2 above;

6. *Authorizes* the Support Mission, under Chapter VII of the Charter of the United Nations, to take the necessary actions, for the duration of its mandate, to fulfil its mandate, and decides to review this issue and all other aspects of the mandate of the Mission after twelve months;

7. *Decides* that progress towards achievement of the milestones of the mandate implementation plan should be kept under review and that downsizing of the Support Mission should proceed as quickly as possible, after careful assessment of the situation on the ground;

8. *Decides also* that the Support Mission will, over a period of two years, fully devolve all operational responsibilities to the East Timorese authorities as soon as is feasible, without jeopardizing stability;

9. *Urges* Member States and international agencies and organizations to provide support as requested by the Secretary-General, in particular in support of the full establishment of the East Timor Police Service and the East Timor Defence Force;

10. *Underlines* the fact that further United Nations assistance to East Timor should be coordinated with the efforts of bilateral and multilateral donors, regional mechanisms, non-governmental organizations, private sector organizations and other actors from within the international community;

11. *Calls* for the rapid conclusion and full observance of the agreements and arrangements necessary to give effect to the mandate of the Support Mission, including a status-of-forces

agreement, and command and control arrangements which will operate in accordance with standard procedures of the United Nations;

12. *Welcomes* the progress made in resolving pending bilateral issues between Indonesia and East Timor, and stresses the critical importance of cooperation between these two Governments, as well as cooperation with the Support Mission, in all aspects, including in implementation of the relevant elements of the present and other resolutions, in particular by working together to secure agreement on the issue of border demarcation, by ensuring that those responsible for serious crimes committed in 1999 are brought to justice, by helping to ensure repatriation or resettlement of refugees currently in Indonesia and by continuing to work together to curb criminal activities in all their forms, including by militia elements, in the border area;

13. *Requests* the Secretary-General to keep the Council closely and regularly informed of progress towards the implementation of the present resolution, in particular with regard to progress towards achievement of the milestones in the mandate implementation plan, and to submit a report within six months of the date of adoption of the present resolution and every six months thereafter;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4534th meeting.

Decisions

At its 4537th meeting, on 20 May 2002, the Security Council decided to invite the representatives of Australia, Brazil, Brunei Darussalam, Costa Rica, Cuba, Indonesia, Jamaica, Japan, Malaysia, Nepal, New Zealand, the Philippines, Portugal, the Republic of Korea, Spain, Thailand, Ukraine and Venezuela to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

> "Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2002/432 and Add.1)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[138]

> "The Security Council welcomes the attainment of independence by East Timor on 20 May 2002, which marks the culmination of a process of self-determination and transition that began in May 1999. The Council pays tribute to the people and leadership of East Timor for their efforts in achieving the goal of independence.
>
> "The Council affirms its commitment to the sovereignty, political independence, territorial integrity and national unity of East Timor within its internationally recognized boundaries.
>
> "The Council takes this opportunity to express its deep appreciation for the efforts of the Secretary-General and his Special Representative, and notes with satisfaction the role played by the United Nations in restoring peace to East Timor and in building a solid foundation for a democratic, viable and stable East Timor. The Council commends the United Nations Transitional Administration in East Timor for the important work that it has done to achieve these important goals.
>
> "The Council expresses its strong support for the leadership of East Timor as it assumes authority for governing the new, sovereign State of East Timor. The Council recognizes that the people and the democratically elected Government of East Timor be

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[138] S/PRST/2002/13.

the ultimate responsibility for the establishment and maintenance of a viable State. It expresses its confidence that the people and the leadership of East Timor will demonstrate the necessary political will and determination to fulfil their aspirations.

"The Council appreciates the efforts made by the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples towards East Timor's achievement of independence. The Council expresses its appreciation to the Government of Indonesia and the Government of Portugal for their cooperation with the United Nations in concluding the Agreements of 5 May 1999[139] which led to the establishment of the United Nations Mission in East Timor to conduct the popular consultation. It also expresses its appreciation to Australia and all other countries that contributed troops to the International Force in East Timor and the Transitional Administration, which helped to restore stability following the post-referendum violence.

"The Council welcomes the commitment of the Government of East Timor to develop close and strong relations with Indonesia, and the stated readiness of the Government of Indonesia to cooperate with East Timor towards building a peaceful, unified and sustainable society in East Timor. The Council stresses that good relations with neighbouring States will be essential to the future stability of East Timor and that of the region, which are inextricably linked.

"The Council is concerned that challenges to the security and stability of East Timor remain after independence. It notes with concern that shortcomings exist in a number of critical elements of the public administration of East Timor in the post-independence period. The Council reaffirms that a strong international commitment will be required in East Timor to ensure the continued stability and development of the country for some time after independence. The Council expresses its confidence that the United Nations Mission of Support in East Timor established by resolution 1410 (2002) of 17 May 2002 will help to consolidate and strengthen a stable environment in East Timor.

"The Council reaffirms the importance of complementing the United Nations peacekeeping contribution with that of other United Nations funds and programmes, and specialized agencies, international financial institutions, bilateral donors and non-governmental organizations to assist the people of East Timor to develop a sustainable social system and economy. It also reaffirms the continued need for effective and close coordination among those programmes and donors to ensure a smooth transition towards a normal development assistance framework. The Council appeals to Member States to respond positively to the urgent appeal of the Secretary-General to fill vacancies in the Civilian Support Group. It also urges Member States and other actors to respond positively to the appeals for assistance in the development of the defence force, police service and justice sector of East Timor and in supporting social and economic development and poverty reduction.

"The Council looks forward to the day in the near future when East Timor will join us as a State Member of the United Nations and to working closely with its representatives. The Council notes that the Government of East Timor today submitted a letter to the Secretary-General requesting the admission of East Timor to membership in the United Nations.

"The Council will remain actively seized of the matter."

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[139] See S/1999/513.

On 26 July 2002, the President of the Security Council addressed the following letter to the Secretary-General:[140]

> "I have the honour to inform you that your letter dated 23 July 2002 concerning your intention to appoint Major General Tan Huck Gim, of Singapore, to the post of Force Commander of the United Nations Mission of Support in East Timor[141] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

BRIEFING BY HIS EXCELLENCY MR. MIRCEA GEOANA, MINISTER FOR FOREIGN AFFAIRS OF ROMANIA, CHAIRMAN-IN-OFFICE OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

Decision

At its 4266th meeting, held in private on 29 January 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4266th meeting, held in private on 29 January 2001, the Security Council considered the item entitled 'Briefing by His Excellency Mr. Mircea Geoana, Minister for Foreign Affairs of Romania, Chairman-in-Office of the Organization for Security and Cooperation in Europe'.
>
> "In accordance with the understanding reached in the Council's prior consultations, and with the consent of the Council, the President extended an invitation to the Minister for Foreign Affairs of Romania, Chairman-in-Office of the Organization for Security and Cooperation in Europe, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council and the Minister for Foreign Affairs of Romania, Chairman-in-Office of the Organization for Security and Cooperation in Europe, had a constructive discussion."

THE SITUATION IN THE MIDDLE EAST

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1967.*]

Decision

At its 4267th meeting, on 30 January 2001, the Security Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/2001/66)".

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[140] S/2002/840.

[141] S/2002/839.

Resolution 1337 (2001)
of 30 January 2001

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 520 (1982) of 17 September 1982 and 1310 (2000) of 27 July 2000, as well as its resolutions and the statements by its President on the situation in Lebanon,

Recalling also its resolution 1308 (2000) of 17 July 2000,

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000,[142]

Emphasizing the interim nature of the United Nations Interim Force in Lebanon,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[143]

Responding to the request of the Government of Lebanon as stated in the letter dated 5 January 2001 from the Permanent Representative of Lebanon to the United Nations of addressed to the Secretary-General,[144]

1. *Welcomes* the report of the Secretary-General of 22 January 2001 on the United Nations Interim Force in Lebanon,[145] and endorses his observations and recommendations;

2. *Decides* to extend the present mandate of the Force for a further period of six months, until 31 July 2001;

3. *Decides also* to return the military personnel of the Force to the operational level referred to in paragraph 24 of the report of the Secretary-General of 22 January 2001 by 31 July 2001, and requests that the Secretary-General take the necessary measures to implement this decision, including taking into account the upcoming rotations of the battalions, in consultation with the Government of Lebanon and the troop-contributing countries;

4. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

5. *Calls upon* the Government of Lebanon to ensure the restoration of its effective authority and presence in the south and, in particular, to increase the rate of the deployment of the Lebanese armed forces;

6. *Welcomes* the establishment of checkpoints by the Government of Lebanon in the vacated area, and encourages the Government of Lebanon to ensure a calm environment throughout the south, including through the control of all checkpoints;

7. *Calls upon* the parties to fulfil the commitments they have given to respect fully the withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000,[146] to exercise utmost restraint and to cooperate fully with the United Nations and with the Force;

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[142] S/2000/460.

[143] General Assembly resolution 49/59, annex.

[144] S/2001/14.

[145] S/2001/66.

[146] S/2000/590 and Corr.1.

8. *Condemns* all acts of violence, expresses concern about the serious breaches and violations of the withdrawal line, and urges the parties to put an end to them and to respect the safety of Force personnel;

9. *Commends* the Force for having fulfilled its mandate regarding verification of Israeli withdrawal, and supports its continued efforts to maintain the ceasefire along the withdrawal line through patrols, observation from fixed positions and close contacts with the parties, with a view to correcting violations and preventing the escalation of incidents;

10. *Welcomes* the contribution of the Force to operational demining, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and the emergency demining activities in the south, and calls upon donor countries to support these efforts through financial and in-kind contributions;

11. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report to the Security Council thereon;

12. *Looks forward* to the early fulfilment of the mandate of the Force;

13. *Endorses* the general approach for reconfiguration of the Force, as outlined in paragraph 23 of the report of the Secretary-General of 22 January 2001, and requests the Secretary-General to submit to the Council a detailed report by 30 April 2001 on the plans for reconfiguration of the Force and on the tasks that could be carried out by the United Nations Truce Supervision Organization;

14. *Decides* to review the situation by early May 2001 and to consider any steps it deems appropriate regarding the Force and the United Nations Truce Supervision Organization, on the basis of that report;

15. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

Adopted unanimously at the 4267th meeting.

Decisions

On 18 May 2001, the President of the Security Council addressed the following letter to the Secretary-General:[147]

> "I have the honour to inform you that members of the Security Council have considered your interim report of 30 April 2001 on the United Nations Interim Force in Lebanon.[148] They commend the contribution of the Force to international peace and stability and endorse in general the technical reconfiguration approach for the Force as elaborated in that report. The Council will remain seized of the matter, and review regularly the state of reconfiguration in view of developments on the ground and in consultation with the Government of Lebanon."

At its 4322nd meeting, on 30 May 2001, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2001/499)".

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[147] S/2001/500.

[148] S/2001/423.

Resolution 1351 (2001)
of 30 May 2001

The Security Council,

Having considered the report of the Secretary-General of 18 May 2001 on the United Nations Disengagement Observer Force,[149] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a further period of six months, that is, until 30 November 2001;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 4322nd meeting.

Decisions

At the 4322nd meeting also, following the adoption of resolution 1351 (2001), the President of the Security Council made the following statement on behalf of the Council:[150]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[149] states, in paragraph 11: "... the situation in the Middle East continues to be potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the problem can be reached". That statement of the Secretary-General reflects the view of the Council.' "

At its 4354th meeting, on 31 July 2001, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/2001/714)".

Resolution 1365 (2001)
of 31 July 2001

The Security Council,

Recalling all its resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, 1310 (2000) of 27 July 2000 and 1337 (2001) of 30 January 2001, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,[151]

Recalling also the letter dated 18 May 2001 from the President of the Security Council addressed to the Secretary-General,[147]

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000,[142] as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

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[149] S/2001/499.

[150] S/PRST/2001/15.

[151] S/PRST/2000/21.

Emphasizing the interim nature of the Force,

Recalling its resolution 1308 (2000) of 17 July 2000,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[143]

Responding to the request of the Government of Lebanon, as stated in the letter dated 9 July 2001 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[152]

1. *Welcomes* the report of the Secretary-General of 20 July 2001 on the United Nations Interim Force in Lebanon,[153] and endorses his observations and recommendations;

2. *Decides* to extend the present mandate of the Force, as recommended by the Secretary-General, for a further period of six months, until 31 January 2002;

3. *Requests* the Secretary-General to continue to take the necessary measures to implement the reconfiguration and redeployment of the Force, as outlined in his report and in accordance with the letter from the President of the Security Council dated 18 May 2001,[147] in the light of developments on the ground and in consultation with the Government of Lebanon and the troop-contributing countries;

4. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

5. *Calls upon* the Government of Lebanon to take more steps to ensure the restoration of its effective authority throughout the south, including the deployment of Lebanese armed forces;

6. *Calls upon* the parties to ensure that the Force is accorded full freedom of movement in the discharge of its mandate throughout its area of operation;

7. *Encourages* the Government of Lebanon to ensure a calm environment throughout the south;

8. *Reiterates its call upon* the parties to continue to fulfil the commitments they have given to respect fully the withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000,[146] to exercise utmost restraint and to cooperate fully with the United Nations and the Force;

9. *Condemns* all acts of violence, expresses great concern about the serious breaches and the air, sea and land violations of the withdrawal line, and urges the parties to put an end to them and to respect the safety of Force personnel;

10. *Supports* the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent the escalation thereof;

11. *Welcomes* the continued contribution of the Force to operational demining, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and the emergency demining activities in the south, commends donor countries for supporting these efforts through

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[152] S/2001/677.

[153] S/2001/714 and Corr.1.

financial and in-kind contributions, and stresses the necessity to provide the Government of Lebanon and the Force with any additional maps and records on the location of mines;

12. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution;

13. *Looks forward* to the early fulfilment of the mandate of the Force;

14. *Requests* the Secretary-General, following appropriate consultations, including with the Government of Lebanon and the troop-contributing countries, to submit to the Council before the end of the present mandate a comprehensive report on the activities of the Force, taking into account its possible reconfiguration to an observer mission in the light of developments on the ground, and on the tasks carried out by the United Nations Truce Supervision Organization ;

15. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

Adopted unanimously at the 4354th meeting.

Decisions

On 6 August 2001, the President of the Security Council addressed the following letter to the Secretary-General:[154]

> "I have the honour to inform you that your letter dated 2 August 2001 regarding your intention to appoint Major General Lalit Mohan Tewari, of India, as Force Commander of the United Nations Interim Force in Lebanon[155] has been brought to the attention of the members of the Security Council. They take note of your intention."

At its 4428th meeting, on 27 November 2001, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2001/1079)".

Resolution 1381 (2001)
of 27 November 2001

The Security Council,

Having considered the report of the Secretary-General of 15 November 2001 on the United Nations Disengagement Observer Force,[156] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a further period of six months, that is, until 31 May 2002;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 4428th meeting.

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[154] S/2001/767.

[155] S/2001/766.

[156] S/2001/1079.

Decisions

At the 4428th meeting also, following the adoption of resolution 1381 (2001), the President of the Security Council made the following statement on behalf of the Council:[157]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[156] states, in paragraph 12: "... the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

At its 4458th meeting, on 28 January 2002, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/2002/55)".

Resolution 1391 (2002)
of 28 January 2002

The Security Council,

Recalling all its resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, 1310 (2000) of 27 July 2000, 1337 (2001) of 30 January 2001 and 1365 (2001) of 31 July 2001, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,[151]

Recalling also the letter dated 18 May 2001 from the President of the Security Council addressed to the Secretary-General,[147]

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000,[142] as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

Emphasizing the interim nature of the Force,

Recalling its resolution 1308 (2000) of 17 July 2000,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[143]

Responding to the request of the Government of Lebanon, as stated in the letter dated 9 January 2002 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[158]

1. *Welcomes* the report of the Secretary-General of 16 January 2002 on the United Nations Interim Force in Lebanon,[159] and endorses his observations and recommendations;

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[157] S/PRST/2001/37.

[158] S/2002/40.

[159] S/2002/55.

2. *Decides* to extend the present mandate of the Force, as recommended by the Secretary-General, for a further period of six months, until 31 July 2002;

3. *Requests* the Secretary-General to continue to take the necessary measures to implement the reconfiguration of the Force as outlined in his recent report and in accordance with the letter from the President of the Security Council dated 18 May 2001,[147] in the light of developments on the ground and in consultation with the Government of Lebanon and the troop-contributing countries;

4. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

5. *Calls upon* the Government of Lebanon to continue to take steps to ensure the restoration of its effective authority throughout the south, including the deployment of Lebanese armed forces;

6. *Calls upon* the parties to ensure the Force is accorded full freedom of movement in the discharge of its mandate throughout its area of operation;

7. *Encourages* the Government of Lebanon to ensure a calm environment throughout the south;

8. *Reiterates its call upon* the parties to continue to fulfil the commitments they have given to respect fully the withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000,[146] to exercise utmost restraint and to cooperate fully with the United Nations and the Force;

9. *Condemns* all acts of violence, expresses great concern about the serious breaches and the air, sea and land violations of the withdrawal line, and urges the parties to put an end to these violations and to respect the safety of Force personnel;

10. *Supports* the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent the escalation thereof;

11. *Welcomes* the continued contribution of the Force to operational demining, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and the emergency demining activities in the south, commends donor countries for supporting these efforts through financial and in-kind contributions and welcomes in this regard the establishment of the International Support Group, takes note of the communication to the Government of Lebanon and the Force of maps and information on the location of mines, and stresses the necessity to provide the Government of Lebanon and the Force with any additional maps and records on the location of mines;

12. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution;

13. *Also requests* the Secretary-General, following appropriate consultations, including with the Government of Lebanon and the troop-contributing countries, to submit to the Council before the end of the present mandate a comprehensive report on the activities of the Force, its technical reconfiguration and the tasks presently carried out by the United Nations Truce Supervision Organization;

14. *Looks forward* to the early fulfilment of the mandate of the Force;

15. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

Adopted unanimously at the 4458th meeting.

Decisions

On 28 March 2002, the President of the Security Council addressed the following letter to the Secretary-General:[160]

> "I have the honour to inform you that your letter dated 26 March 2002 regarding your intention to appoint Major General Carl A. Dodd, of Ireland, as the next Chief of Staff of the United Nations Truce Supervision Organization[161] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4546th meeting, on 30 May 2002, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2002/542)".

Resolution 1415 (2002)
of 30 May 2002

The Security Council,

Having considered the report of the Secretary-General of 17 May 2002 on the United Nations Disengagement Observer Force,[162] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a further period of seven months, that is, until 31 December 2002;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 4546th meeting.

Decisions

At the 4546th meeting also, following the adoption of resolution 1415 (2002), the President of the Security Council made the following statement on behalf of the Council:[163]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[162] states in paragraph 11: "... the situation in the Middle East is very tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

At its 4593rd meeting, on 30 July 2002, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/2002/746)".

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[160] S/2002/327.

[161] S/2002/326.

[162] S/2002/542.

[163] S/PRST/2002/18.

Resolution 1428 (2002)
of 30 July 2002

The Security Council,

Recalling all its resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, 1310 (2000) of 27 July 2000, 1337 (2001) of 30 January 2001, 1365 (2001) of 31 July 2001 and 1391 (2002) of 28 January 2002, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,[151]

Recalling also the letter dated 18 May 2001 from its President addressed to the Secretary-General,[147]

Recalling further the conclusion of Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000,[142] as well as the conclusion of the Secretary-General that United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

Emphasizing the interim nature of the Force,

Recalling its resolution 1308 (2000) of 17 July 2000,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[143]

Responding to the request of the Government of Lebanon, as stated in the letter dated 9 July 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,[164]

1. *Endorses* the report of the Secretary-General of 12 July 2002[165] on the United Nations Interim Force in Lebanon, in particular its recommendation to renew the mandate of the Force for a further period of six months;

2. *Decides* to extend the present mandate of the Force, as recommended by the Secretary-General, for a further period of six months, until 31 January 2003;

3. *Requests* the Secretary-General to continue to take the necessary measures to implement the reconfiguration of the Force as outlined in his recent reports and in accordance with the letter from the President of Security Council dated 18 May 2001,[147] in the light of developments on the ground and in consultation with the Government of Lebanon and the troop-contributing countries;

4. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

5. *Commends* the Government of Lebanon for taking steps to ensure the restoration of its effective authority throughout the south, including the deployment of Lebanese armed forces, and calls upon it to continue these measures;

6. *Calls upon* the parties to ensure the Force is accorded full freedom of movement in the discharge of its mandate throughout its area of operation as outlined in the report of the Secretary-General;

7. *Encourages* the Government of Lebanon to ensure a calm environment throughout the south;

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[164] S/2002/739.

[165] S/2002/746.

8. *Reiterates its call upon* the parties to continue to fulfil the commitments they have given to respect fully the withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000,[146] to exercise utmost restraint and to cooperate fully with the United Nations and the Force;

9. *Condemns* all acts of violence, expresses great concern about the serious breaches and the air, sea and land violations of the withdrawal line, and urges the parties to put an end to these violations and to abide scrupulously by their obligation to respect the safety of the personnel of the Force and other United Nations personnel;

10. *Supports* the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent the escalation thereof;

11. *Welcomes* the continued contribution of the Force to operational demining, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and the emergency demining activities in the south, commends donor countries for supporting these efforts through financial and in-kind contributions, and welcomes in this regard the establishment of the International Support Group, takes note of the communication to the Government of Lebanon and the Force of maps and information on the location of mines, and stresses the necessity to provide the Government of Lebanon and the Force with any additional maps and records on the location of mines;

12. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution;

13. *Also requests* the Secretary-General, following appropriate consultations, including with the Government of Lebanon and the troop-contributing countries, to submit to the Council before the end of the present mandate a comprehensive report on the activities of the Force, its technical reconfiguration and the tasks presently carried out by the United Nations Truce Supervision Organization ;

14. *Looks forward* to the early fulfilment of the mandate of the Force;

15. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

Adopted unanimously at the 4593rd meeting.

THE SITUATION IN GEORGIA

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.]

Decision

At its 4269th meeting, on 31 January 2001, the Security Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

> "Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/2001/59)".

Resolution 1339 (2001)
of 31 January 2001

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1311 (2000) of 28 July 2000, and the statement by its President of 14 November 2000,[166]

Having considered the report of the Secretary-General of 18 January 2001,[167]

Recalling the conclusions of the summits of the Organization for Security and Cooperation in Europe, held in Lisbon in December 1996[168] and in Istanbul on 18 and 19 November 1999, regarding the situation in Abkhazia, Georgia,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Deeply concerned that, although currently mostly calm, the general situation in the conflict zone remains very volatile,

Noting the holding of the twelfth session of the Coordinating Council of the Georgian and Abkhaz sides on 23 January 2001,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[169]

Welcoming the important contributions that the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States continue to make in stabilizing the situation in the zone of conflict, noting that the working relationship between the Mission and the collective peacekeeping force has remained very close, and stressing the importance of close cooperation between them in the performance of their respective mandates,

1. *Welcomes* the report of the Secretary-General of 18 January 2001;[167]

2. *Strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General and the Organization for Security and Cooperation in Europe, to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

3. *Strongly supports also*, in particular, the intention of the Special Representative to submit, in the near future, the draft paper containing specific proposals to the parties on the question of the distribution of constitutional competences between Tbilisi and Sukhumi as a basis for meaningful negotiations;

4. *Stresses* the need to accelerate work on the draft protocol on the return of refugees to the Gali region and measures for economic rehabilitation, as well as on the draft agreement on peace and guarantees for the prevention and the non-resumption of hostilities;

5. *Calls upon* the parties, in particular the Abkhaz side, to undertake immediate efforts to move beyond the impasse and to engage in negotiations on the core political questions of the conflict and all other outstanding issues in the United Nations-led peace process;

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[166] S/PRST/2000/32.

[167] S/2001/59.

[168] S/1997/57, annex.

[169] General Assembly resolution 49/59, annex.

6. *Welcomes* the readiness of the Government of Ukraine to host the third meeting on confidence-building measures, welcomes also the commitment of both sides to the conflict to meet in Yalta, Ukraine, in March 2001, and notes the important contribution a successful conference would make to the peace process;

7. *Reaffirms* the unacceptability of the demographic changes resulting from the conflict, and reaffirms also the inalienable right of all refugees and displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons of 4 April 1994;[170]

8. *Urges* the parties, in this context, to address urgently and in a concerted manner, as a first step, the undefined and insecure status of spontaneous returnees to the Gali district, which remains an issue of serious concern;

9. *Expresses its satisfaction* with the joint assessment mission to the Gali district carried out under the aegis of the United Nations, and looks forward to the careful consideration of the recommendations of the mission regarding human rights, law enforcement and education;

10. *Condemns* all violations of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994,[171] and notes with particular concern the Abkhaz military exercise conducted in November 2000;

11. *Deplores* the rise in criminality and activities of armed groups in the conflict zone, which constitute a major destabilizing factor affecting the overall situation, calls upon the parties to increase their efforts at curbing them and to cooperate in good faith using the means provided by the Coordinating Council mechanism, condemns the recent killings of civilians and Abkhaz militiamen, and calls upon both sides, in particular the Georgian side, to investigate these incidents and bring to justice those responsible;

12. *Condemns* the abduction of two military observers of the United Nations Observer Mission in Georgia on 10 December 2000, recalls that the Georgian and the Abkhaz sides bear the primary responsibility for the security of personnel of the Mission and the collective peacekeeping force of the Commonwealth of Independent States and other international personnel, and appeals to them to bring to justice the perpetrators of the hostage-taking incidents of October 1999 and June and December 2000;

13. *Calls upon* the parties to ensure the security and freedom of movement of United Nations and other international personnel;

14. *Welcomes* the Mission keeping its security arrangements under constant review in order to ensure the highest possible level of security for its staff;

15. *Decides* to extend the mandate of the Mission for a new period terminating on 31 July 2001, subject to a review by the Security Council of the mandate of the Mission in the event of any changes that may be made in the mandate or in the presence of the collective peacekeeping force, and expresses its intention to conduct a thorough review of the operation at the end of its current mandate, in the light of steps taken by the parties to achieve a comprehensive settlement;

16. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report, three months from the date of the adoption of the present resolution, on the situation in Abkhazia, Georgia, and also requests the Secretary-General to provide for a briefing within three months on the progress of the political settlement, including on the status of the draft paper his Special Representative intends to submit to the parties as referred to in paragraph 3 above;

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[170] S/1994/397, annex II.

[171] S/1994/583, annex I.

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4269th meeting.

Decisions

At its 4299th meeting, held in private on 21 March 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4299th meeting, held in private on 21 March 2001, the Security Council considered the item entitled 'The situation in Georgia – Letter dated 17 March 2001 from the Acting Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (S/2001/242)'.
>
> "In accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council, the President invited the Minister for Foreign Affairs of Georgia and the representatives of Argentina, Armenia, Belgium, Canada, the Czech Republic, Denmark, Finland, Germany, Hungary, Italy, Japan, Lithuania, the Netherlands, the Republic of Moldova, Romania, Slovakia, Spain, Sweden and Turkey to participate in this meeting.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of its provisional rules of procedure to Mr. Dieter Boden, Special Representative of the Secretary-General and Head of the United Nations Observer Mission in Georgia.
>
> "The Minister for Foreign Affairs of Georgia, the Special Representative of the Secretary-General, and the President of the Security Council, speaking in his capacity as the representative of Ukraine, briefed the members of the Council on the outcome of the third meeting on confidence-building measures between the Georgian and Abkhaz sides, which took place in Yalta, Ukraine, on 15 and 16 March 2001.
>
> "The members of the Council, the Minister for Foreign Affairs of Georgia and the Special Representative of the Secretary-General had a constructive discussion."

At its 4300th meeting, on 21 March 2001, the Council, in accordance with the decision taken at the 4299th meeting, decided to invite the Minister for Foreign Affairs of Georgia to take a seat at the Council table in the discussion of the item entitled:

"The situation in Georgia

> "Letter dated 17 March 2001 from the Acting Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (S/2001/242)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[172]

> "The Security Council welcomes the successful holding of the third meeting on confidence-building measures between the Georgian and Abkhaz sides, in Yalta, Ukraine, on 15 and 16 March 2001, and the resumption of dialogue between them, and takes note of the documents signed there.[173] It hopes that action flowing from the Yalta meeting will lead to a narrowing of the positions of the two sides and stimulate further constructive dialogue aimed at achieving a comprehensive political settlement of the conflict, including a settlement of the political status of Abkhazia within the State of Georgia and other key issues. The Council underlines the contribution that confidence-building measures can bring

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[172] S/PRST/2001/9.

[173] S/2001/242, annex.

to the peace process and commends the efforts of the Government of Ukraine in ensuring the success of the Yalta meeting.

"The Council reaffirms its support for the efforts of the Special Representative of the Secretary-General to enhance contacts at all levels between the Georgian and Abkhaz sides, in close cooperation with the Russian Federation in its capacity as facilitator, the Group of Friends of the Secretary-General and the Organization for Security and Cooperation in Europe.

"The Council encourages the two sides to engage with renewed commitment in the peace process. The Council notes the stated willingness of the two sides to ensure favourable conditions for the continuation of the peace process, their stated commitment to the non-use of force and their stated determination to intensify efforts in order to create the necessary climate for the voluntary return of internally displaced persons and refugees in secure and dignified conditions. The Council also notes the important contribution that the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States continue to make in stabilizing the situation in the zone of conflict.

"The Council underlines the unacceptability of the holding of self-styled local elections in Abkhazia, Georgia, on 10 March 2001, which it deems illegitimate and unhelpful. The organization of those elections represents an additional obstacle to attempts to reach a comprehensive settlement of the conflict based on international law.

"The Council stresses the importance of negotiations on the core political questions of the conflict. In this regard, it looks forward to the briefing to be provided by the Secretary-General on the progress of the political settlement, including on the status of the draft paper his Special Representative intends to submit to the two sides, as referred to in paragraph 16 of resolution 1339 (2001) of 31 January 2001.

"The Council will remain actively seized of the matter and reaffirms its commitment to advancing the peace process."

At its 4313th meeting, held in private on 24 April 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4313th meeting, held in private on 24 April 2001, the Security Council considered the item entitled 'The situation in Georgia'.

"In accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council, the President invited the Minister for Special Affairs of Georgia and the representative of Sweden to participate in the meeting.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of its provisional rules of procedure to Mr. Dieter Boden, Special Representative of the Secretary-General and Head of the United Nations Observer Mission in Georgia.

"The Special Representative of the Secretary-General briefed the Council.

"The members of the Council, the Minister for Special Affairs of Georgia, the representative of Sweden, speaking on behalf of the European Union and associated States, and the Special Representative of the Secretary-General had a constructive discussion."

At its 4314th meeting, on 24 April 2001, the Council decided to invite the Minister for Special Affairs of Georgia to take a seat at the Council table in the discussion of the item entitled "The situation in Georgia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[174]

> "The Security Council welcomes the briefing provided by the Special Representative of the Secretary-General and Head of the United Nations Observer Mission in Georgia, on 24 April 2001, in accordance with paragraph 16 of resolution 1339 (2001) of 31 January 2001. It welcomes also the presence of the Minister for Special Affairs of Georgia at its meeting.
>
> "The Council stresses that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable. It underlines the decisive importance of early negotiations on the core political questions of the conflict. It strongly supports, in this context, the efforts of the Special Representative to promote the achievement of a comprehensive political settlement based on the resolutions of the Council, which must include a settlement of the political status of Abkhazia within the State of Georgia.
>
> "The Council strongly supports, in particular, the intention of the Special Representative to submit in the near future his draft paper containing specific proposals to the parties on the question of the distribution of constitutional competences between Tbilisi and Sukhumi. It calls upon all those concerned to use their influence with a view to facilitating this process.
>
> "The Council welcomes the intention of the Special Representative to submit the draft paper to the parties soon, as a starting point for negotiation and not as an attempt to impose or dictate any possible solution. It calls upon the parties constructively to accept the paper in this light and work towards a mutually acceptable settlement.
>
> "The Council will remain actively seized of the matter and reaffirms its commitment to advancing the peace process."

At its 4353rd meeting, on 31 July 2001, the Council considered the item entitled:

"The situation in Georgia

> "Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/2001/713)".

Resolution 1364 (2001)
of 31 July 2001

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1339 (2001) of 31 January 2001, and the statements by its President of 21 March[172] and 24 April 2001,[174]

Having considered the report of the Secretary-General of 19 July 2001,[175]

Recalling the conclusions of the summits of the Organization for Security and Cooperation in Europe, held in Lisbon in December 1996[168] and in Istanbul on 18 and 19 November 1999, regarding the situation in Abkhazia, Georgia,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

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[174] S/PRST/2001/12.

[175] S/2001/713.

Deeply concerned by the interruption of negotiating activities following the killings and hostage-taking incidents in April and May 2001 in the Gali district, on 8 and 9 July 2001 in the Gulripshi area and again on 22 July 2001 in Primorsk,

Expressing its regrets at the cancellation of the thirteenth session of the Coordinating Council of the Georgian and Abkhaz sides, initially scheduled for 17 July 2001, due to the withdrawal of the Abkhaz side following those incidents,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[169]

Welcoming the important contributions that the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States continue to make in stabilizing the situation in the zone of conflict, noting that the working relationship between the Mission and the collective peacekeeping force has remained very close, and stressing the importance of close cooperation between them in the performance of their respective mandates,

Noting the invitation of the Government of Georgia to the Security Council to dispatch a mission to the region,

1. *Welcomes* the report of the Secretary-General of 19 July 2001;[175]

2. *Regrets* the deterioration of the situation in the zone of conflict due to the ongoing violence, the hostage-taking incidents, the rise in criminality and the activities of illegal armed groups in the conflict zone, which constitute a constant threat to the peace process;

3. *Strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General, and the Organization for Security and Cooperation in Europe, to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

4. *Recalls* the intention of the Special Representative to submit the draft paper on the question of the distribution of constitutional competences between Tbilisi and Sukhumi, as a basis for meaningful negotiations and not as an attempt to impose or dictate any specific solution to the parties;

5. *Stresses* the importance of early submission to the parties of the paper as a starting point and significant catalyst for negotiations on a comprehensive political settlement, and deeply regrets that the Special Representative has not been in a position to do so;

6. *Stresses also* the need to accelerate work on the draft protocol on the return of refugees to the Gali region and measures for economic rehabilitation, as well as on the draft agreement on peace and guarantees for the prevention and the non-resumption of hostilities;

7. *Calls upon* the parties, in particular the Abkhaz side, to undertake immediate efforts to move beyond the impasse and to engage in negotiations on the core political questions of the conflict and all other outstanding issues in the United Nations-led peace process;

8. *Welcomes* the documents signed at the third meeting on confidence-building measures between the Georgian and Abkhaz sides held in Yalta, Ukraine, on 15 and 16 March 2001,[173] and urges the Georgian and Abkhaz sides to implement the proposals agreed upon in those documents in a purposeful and cooperative manner;

9. *Calls upon* the parties to resume their work in the Coordinating Council and its relevant mechanisms as soon as possible;

10. *Urges* the parties to work together, through more effective use of existing arrangements within the Coordinating Council mechanisms, in order to clarify the incidents of 8, 9

and 22 July 2001, bring about the release of the hostages still being held and bring the perpetrators to justice;

11. *Reaffirms* the unacceptability of the demographic changes resulting from the conflict, and reaffirms also the inalienable right of all refugees and internally displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons of 4 April 1994;[170]

12. *Urges* the parties, in this context, to address urgently and in a concerted manner, as a first step, the undefined and insecure status of spontaneous returnees to the Gali region, which remains an issue of serious concern;

13. *Welcomes* measures undertaken by the Government of Georgia, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the Office for the Coordination of Humanitarian Affairs, of the Secretariat, and the World Bank to improve the situation of refugees and internally displaced persons, to develop their skills and to increase their self-reliance, with full respect for their inalienable right to return to their homes in secure and dignified conditions;

14. *Recalls with satisfaction* the joint assessment mission to the Gali district, carried out under the aegis of the United Nations, and looks forward to a discussion by the parties of practical steps to implement the recommendations of the mission;

15. *Deplores* all violations of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994,[171] and notes with particular concern the military exercises conducted by both parties in June and July 2001 in violation of the Moscow Agreement;

16. *Expresses its concern* at the disturbing tendency of the parties to restrict the freedom of movement of personnel of the United Nations Observer Mission in Georgia, thereby hindering the ability of the Mission to fulfil its mandate, urges both sides to return immediately to full compliance with the Moscow Agreement, which remains a cornerstone of the United Nations peace effort, and calls upon the parties to ensure the security and freedom of movement of United Nations and other international personnel;

17. *Recalls* that the Georgian and the Abkhaz sides bear the primary responsibility for the security of personnel of the Mission and the collective peacekeeping force of the Commonwealth of Independent States and other international personnel, and for full compliance with all security arrangements agreed between them to preclude any further aggravation of the situation, and urges both parties to bring to justice the perpetrators of all hostage-taking incidents, particularly the abduction of two military observers of the Mission in the Kodori Valley on 10 December 2000;

18. *Reminds* the Georgian side, in particular, to uphold its commitment to put a stop to the activities of illegal armed groups crossing into Abkhazia, Georgia, from the Georgian-controlled side of the ceasefire line;

19. *Welcomes* the Mission keeping its security arrangements under constant review in order to ensure the highest possible level of security for its staff;

20. *Decides* to extend the mandate of the Mission for a new period terminating on 31 January 2002, subject to a review by the Council of the mandate of the Mission in the event of any changes that may be made in the mandate or in the presence of the collective peacekeeping force, and expresses its intention to conduct a thorough review of the operation at the end of its current mandate, in the light of steps taken by the parties to achieve a comprehensive settlement;

21. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report, three months from the date of the adoption of the present resolution, on the situation in Abkhazia, Georgia, and also requests the Secretary-General to provide for a briefing within three months on the progress of the political settlement, including on the status of the draft paper his Special Representative intends to submit to the parties, as referred to in paragraph 4 above;

22. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4353rd meeting.

Decisions

At its 4400th meeting, held in private on 30 October 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4400th meeting, held in private on 30 October 2001, the Security Council considered the item entitled 'The situation in Georgia'.

"In accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the Council's provisional rules of procedure, the President invited the Minister for Special Affairs of Georgia and the representative of Belgium.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of its provisional rules of procedure to Mr. Dieter Boden, Special Representative of the Secretary-General and Head of the United Nations Observer Mission in Georgia.

"The Special Representative of the Secretary-General briefed the Council.

"The members of the Council, the Minister for Special Affairs of Georgia, the Special Representative of the Secretary-General and the representative of Belgium had a constructive discussion."

At its 4464th meeting, on 31 January 2002, the Council considered the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/2002/88)".

Resolution 1393 (2002)
of 31 January 2002

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1364 (2001) of 31 July 2001,

Having considered the report of the Secretary-General of 18 January 2002,[176]

Recalling the conclusions of the summits of the Organization for Security and Cooperation in Europe, held in Lisbon in December 1996[168] and in Istanbul on 18 and 19 November 1999, regarding the situation in Abkhazia, Georgia,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[169]

Recalling further its condemnation of the shooting down of a helicopter of the United Nations Observer Mission in Georgia on 8 October 2001, which resulted in the death of the nine people on board, and deploring the fact that the perpetrators of that attack have still not been identified,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

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[176] S/2002/88

Welcoming the important contributions made by the Mission and the collective peacekeeping force of the Commonwealth of Independent States in stabilizing the situation in the zone of conflict, and stressing its attachment to the close cooperation existing between them in the performance of their respective mandates,

1. *Welcomes* the report of the Secretary-General of 18 January 2002;[176]

2. *Commends and strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General, and the Organization for Security and Cooperation in Europe, to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

3. *Welcomes and supports* the finalization of the document on "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and of its letter of transmittal, with the contribution and the full support of all members of the Group of Friends of the Secretary-General, and supports the efforts of the Special Representative on the basis of these documents, which are positive elements for launching the peace process between the two sides;

4. *Recalls* that the purpose of those documents is to facilitate meaningful negotiations between the parties, under the leadership of the United Nations, on the status of Abkhazia within the State of Georgia, and that it is not an attempt to impose or dictate any specific solution to the parties;

5. *Recalls also* that the process of negotiation leading to a lasting political settlement acceptable to both sides will require concessions from both sides;

6. *Strongly urges* the parties, in particular the Abkhaz side, to receive the document and its letter of transmittal in the near future, to give them full and open consideration, and to engage in constructive negotiations on their substance without delay thereafter, and calls upon others having influence with the parties to promote this outcome;

7. *Calls upon* the parties to spare no effort to overcome their ongoing mutual mistrust;

8. *Condemns* violations of the provisions of the Agreement on a Ceasefire and Separation of Forces, signed in Moscow on 14 May 1994,[171] and demands that they cease immediately,

9. *Welcomes and strongly supports*, in this regard, the protocol signed by the two sides on 17 January 2002 regarding the situation in the Kodori Valley, calls for its full and expeditious implementation, in particular by the Georgian side, but specifically urges the Abkhaz side to honour its undertaking not to take advantage of the withdrawal of Georgian troops, recognizes the legitimate security concerns of the civilian populations in the area, calls upon the political leaders in Tbilisi and Sukhumi to observe security agreements, and also calls upon them publicly to dissociate themselves from militant rhetoric and demonstrations of support for military options and for the activities of illegal armed groups;

10. *Urges* the parties to ensure the necessary revitalization of the peace process in all its major aspects, to resume their work in the Coordinating Council and its relevant mechanisms, to build on the results of the third meeting on confidence-building measures between the Georgian and Abkhaz sides held in Yalta, Ukraine, on 15 and 16 March 2001,[173] and to implement the proposals agreed to on that occasion, in a purposeful and cooperative manner;

11. *Expresses its deep dismay* at the lack of progress on the question of refugees and internally displaced persons, reaffirms the unacceptability of the demographic changes resulting from the conflict, reaffirms also the inalienable right of all refugees and internally displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons of 4 April 1994,[170] recalls that the Abkhaz side bears a

particular responsibility to protect the returnees and to facilitate the return of the remaining displaced population, and welcomes the measures taken by the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the Office for the Coordination of Humanitarian Affairs, of the Secretariat, to improve the situation of refugees and internally displaced persons, to develop their skills and to increase their self-reliance, with full respect for their inalienable right to return to their homes in secure and dignified conditions;

12. *Urges* the parties to implement the recommendations of the joint assessment mission to the Gali district, carried out under the aegis of the United Nations, calls in particular upon the Abkhaz side to improve law enforcement involving the local population and to address the lack of instruction in their mother tongue for the ethnic Georgian population;

13. *Welcomes* the rehabilitation programmes initiated with the cooperation of the parties to serve displaced persons and returnees on both sides of the ceasefire line;

14. *Calls upon* the parties to take all necessary steps to identify those responsible for the shooting down of a helicopter of the United Nations Observer Mission in Georgia on 8 October 2001 and to bring them to justice, expresses its concern at the disturbing tendency of the parties to restrict the freedom of movement of personnel of the Mission, thereby hindering its ability to fulfil its mandate, including through effective patrolling, and underlines the fact that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of personnel of the Mission and the collective peacekeeping force of the Commonwealth of Independent States and other international personnel;

15. *Reminds* the Georgian side, in particular, to uphold its commitment to put an end to the activities of illegal armed groups crossing into Abkhazia, Georgia, from the Georgian-controlled side of the ceasefire line;

16. *Welcomes* constant review by the Mission of its security arrangements in order to ensure the highest possible level of security for its staff;

17. *Decides* to extend the mandate of the Mission for a new period terminating on 31 July 2002, and to review the mandate unless the decision on the extension of the presence of the collective peacekeeping force is taken by 15 February 2002, and in this respect notes that on 31 January 2002 the Georgian authorities agreed on the extension of the mandate of the collective peacekeeping force until the end of June 2002;

18. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report three months from the date of the adoption of this resolution on the situation in Abkhazia, Georgia;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4464th meeting.

Decisions

On 7 June 2002, the President of the Security Council addressed the following letter to the Secretary-General:[177]

> "I have the honour to inform you that your letter dated 23 May 2002 concerning your intention to appoint Ms. Heidi Tagliavini, of Switzerland, as your Special Representative for Georgia and Head of the United Nations Observer Mission in Georgia[178] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[177] S/2002/644.

[178] S/2002/643.

At its 4590th meeting, held in private on 29 July 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4590th meeting, held in private on 29 July 2002, the Security Council considered the item entitled 'The situation in Georgia'.
>
> "In accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council, the President invited the Minister for Special Affairs of Georgia.
>
> "The members of the Council and the Minister for Special Affairs of Georgia had a constructive discussion."

At its 4591st meeting, on 29 July 2002, the Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

> "Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/2002/742)".

Resolution 1427 (2002)
of 29 July 2002

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1393 (2002) of 31 January 2002,

Having considered the report of the Secretary-General of 10 July 2002,[179]

Recalling the conclusions of the summits of the Organization for Security and Cooperation in Europe, held in Lisbon in December 1996[168] and in Istanbul on 18 and 19 November 1999, regarding the situation in Abkhazia, Georgia,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[169]

Recalling further its condemnation of the shooting down of a helicopter of the United Nations Observer Mission in Georgia on 8 October 2001, which resulted in the death of the nine people on board, and deploring the fact that the perpetrators of that attack have still not been identified,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Welcoming the important contributions made by the Mission and the collective peacekeeping force of the Commonwealth of Independent States in stabilizing the situation in the zone of conflict, and stressing its attachment to the close cooperation existing between them in the performance of their respective mandates,

Welcoming also the agreement on the extension of the mandate of the collective peacekeeping force for a new period terminating on 31 December 2002,

1. *Welcomes* the report of the Secretary-General of 10 July 2002,[179]

2. *Commends and strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General and the Organization for

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[179] S/2002/742.

Security and Cooperation in Europe, to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

3. *Recalls*, in particular, its support for the document on "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and for its letter of transmittal, finalized by, and with the full support of, all members of the Group of Friends of the Secretary General;

4. *Regrets* the lack of progress on the initiation of political status negotiations, and recalls once again that the purpose of those documents is to facilitate meaningful negotiations between the parties, under the leadership of the United Nations, on the status of Abkhazia within the State of Georgia and is not an attempt to impose or dictate any specific solution to the parties;

5. *Underlines* the fact that the process of negotiation leading to a lasting political settlement acceptable to both sides will require concessions from both sides;

6. *Deeply regrets*, in particular, the repeated refusal of the Abkhaz side to agree to a discussion on the substance of that document, again strongly urges the Abkhaz side to receive the document and its letter of transmittal, urges both parties thereafter to give them full and open consideration and to engage in constructive negotiations on their substance, and urges those having influence with the parties to promote this outcome;

7. *Calls upon* the parties to spare no effort to overcome their ongoing mutual mistrust;

8. *Condemns* any violations of the provisions of the Agreement of on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994,[171] and demands that they cease immediately;

9. *Welcomes* the decrease in tensions in the Kodori Valley and the intention reaffirmed by the parties to resolve the situation peacefully, recalls its strong support for the protocol signed by the two sides on 17 January 2002 regarding the situation in the Kodori Valley, calls upon both sides, and in particular the Georgian side, to continue to fully implement this protocol, recognizes the legitimate security concerns of the civilian populations in the area, calls upon the political leaders in Tbilisi and Sukhumi to observe security agreements, and calls upon both sides to spare no effort to agree upon a mutually acceptable arrangement for security of the population in, and in the vicinity of, the Kodori Valley;

10. *Calls upon* the Georgian side to continue to improve security for joint patrols of the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States in the Kodori Valley to enable them to monitor the situation independently and regularly;

11. *Strongly urges* the parties to ensure the necessary revitalization of the peace process in all its major aspects, to resume their work in the Coordinating Council and its relevant mechanisms, to build on the results of the third meeting on confidence-building measures between the Georgian and Abkhaz sides held in Yalta, Ukraine, on 15 and 16 March 2001,[173] and to implement the proposals agreed to on that occasion in a purposeful and cooperative manner;

12. *Stresses* the urgent need for progress on the question of refugees and internally displaced persons, calls upon both sides to display a genuine commitment to make returns the focus of special attention and to undertake this task in close coordination with the Mission, reaffirms the unacceptability of the demographic changes resulting from the conflict, reaffirms also the inalienable right of all refugees and internally displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons of 4 April 1994[170] and the Yalta Declaration,[173] recalls that the Abkhaz side bears a particular responsibility to protect the returnees and to facilitate the return of the remaining displaced population, and requests further measures to be taken, inter alia, by the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and

the Office for the Coordination of Humanitarian Affairs, of the Secretariat, to create conditions conducive to the return of refugees and internally displaced persons, including through quick-impact projects, to develop their skills and to increase their self-reliance, with full respect for their inalienable right to return to their homes in secure and dignified conditions;

13. *Once again urges* the parties to implement the recommendations of the joint assessment mission to the Gali district, carried out under the aegis of the United Nations, welcomes the agreement of the parties in this regard to explore the possibility of enhancing support for local law enforcement agencies, and calls in particular upon the Abkhaz side to improve law enforcement involving the local population and to address the lack of instruction in their mother tongue for the ethnic Georgian population;

14. *Calls upon* both parties publicly to dissociate themselves from militant rhetoric and demonstrations of support for military options and for the activities of illegal armed groups, and reminds the Georgian side in particular to uphold its commitment to put an end to the activities of illegal armed groups;

15. *Calls once again upon* the parties to take all necessary steps to identify those responsible for the shooting down of a helicopter of the Mission on 8 October 2001 and to bring them to justice, and underlines the fact that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of the Mission, the collective peacekeeping force and other international personnel;

16. *Welcomes* the constant review by the Mission of its security arrangements in order to ensure the highest possible level of security for its staff;

17. *Decides* to extend the mandate of the Mission for a new period terminating on 31 January 2003;

18. *Requests* the Secretary-General to continue to keep the Security Council regularly informed and to report three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4591st meeting.

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO

[*Resolutions or decisions on this question were also adopted by the Security Council in 1997, 1998, 1999 and 2000.*]

Decisions

At its 4271st meeting, on 2 February 2001, the Security Council decided to invite Major General Joseph Kabila, President of the Democratic Republic of the Congo, to take a seat at the Council table in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Briefing by His Excellency Major General Joseph Kabila, President of the Democratic Republic of the Congo".

At its 4279th meeting, on 21 February 2001, the Council decided to invite the Special Envoy of the President of the Republic of Togo, current Chairman of the Organization of African Unity; the Minister for External Relations of Angola; the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo; the Minister for Foreign Affairs of Namibia; the Minister in the Office of the President of the Rwandese Republic; the Minister of

State for Foreign Affairs (International Affairs) of Uganda; the Minister for Presidential Affairs of Zambia; and the Minister for Foreign Affairs of Zimbabwe, Chairman of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement, to take seats at the Council table in the discussion of the item entitled:

> "The situation concerning the Democratic Republic of the Congo
>
> > "Sixth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2001/128)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Valentine Senga, representative of the Mouvement de libération du Congo to the Joint Military Commission; Mr. Azarias Ruberwa, Secretary-General of the Rassemblement Congolais pour la Démocratie-Goma; Mr. Pashi-Claver, representative of the Rassemblement Congolais pour la Démocratie-Kisangani; Mr. Saïd Djennit, Under-Secretary-General for Political Affairs of the Organization of African Unity; and Mr. Kamel Morjane, Special Representative of the Secretary-General for the Democratic Republic of the Congo.

At its 4280th meeting, held in private on 21 February 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4280th meeting, held in private on 21 February 2001, the Security Council considered the situation concerning the Democratic Republic of the Congo.
>
> "The President recalled the decisions taken at the 4279th meeting, by which the Council had extended invitations in accordance with the relevant provisions of the Charter of the United Nations and rules 37 and 39 of its provisional rules of procedure, as appropriate, to the members of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement, as well as Zambia, the Special Envoy of the current Chairman of the Organization of African Unity, the Under-Secretary-General for Political Affairs of the Organization of African Unity and the Special Representative of the Secretary-General for the Democratic Republic of the Congo.
>
> "The members of the Council, the members of the Political Committee, Zambia, the Special Envoy of the current Chairman of the Organization of African Unity, the Under-Secretary-General for Political Affairs of the Organization of African Unity and the Special Representative of the Secretary-General for the Democratic Republic of the Congo had a constructive, interactive discussion."

At its 4281st meeting, held in private on 22 February 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4281st meeting, held in private on 22 February 2001, the Security Council considered the situation concerning the Democratic Republic of the Congo.
>
> "The Council heard a briefing under rule 39 of its provisional rules of procedure by Sir Ketumile Masire, Facilitator of the Inter-Congolese Dialogue.
>
> "The members of the Council made comments and posed questions in connection with the briefing.
>
> "Sir Ketumile Masire responded to the comments and questions posed by members of the Council."

At its 4282nd meeting, on 22 February 2001, the Council considered the item entitled:

> "The situation concerning the Democratic Republic of the Congo
>
> > "Sixth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2001/128)".

In accordance with the decisions taken at the 4279th meeting, the President extended invitations under the relevant provisions of the Charter of the United Nations and rules 37 and 39 of the provisional rules of procedure of the Council, as appropriate, to the members of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement, as well as Zambia, the representative of the current Chairman of the Organization of African Unity, the Under-Secretary-General for Political Affairs of the Organization of African Unity and the Special Representative of the Secretary-General for the Democratic Republic of the Congo.

Resolution 1341 (2001)
of 22 February 2001

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1265 (1999) of 17 September 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, 1291 (2000) of 24 February 2000, 1296 (2000) of 19 April 2000, 1304 (2000) of 16 June 2000, 1323 (2000) of 13 October 2000 and 1332 (2000) of 14 December 2000 and the statements by its President of 13 July,[180] 31 August[181] and 11 December 1998,[182] 24 June 1999,[183] 26 January,[184] 5 May,[185] 2 June,[186] and 7 September 2000,[187]

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States in the region,

Reaffirming also the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming further the sovereignty of the Democratic Republic of the Congo over its natural resources, and noting with concern reports of the illegal exploitation of the assets of that country and the potential consequences of these actions for security conditions and the continuation of hostilities,

Expressing its alarm at the dire consequences of the prolonged conflict for the civilian population throughout the territory of the Democratic Republic of the Congo, in particular the increase in the number of refugees and displaced persons, and stressing the urgent need for substantial humanitarian assistance to the Congolese population,

Expressing its deep concern at all violations of human rights and international humanitarian law, including atrocities against civilian populations, especially in the eastern provinces,

Deeply concerned at the increased rate of HIV/AIDS infection, in particular amongst women and girls as a result of the conflict,

Gravely concerned by the continued recruitment and use of child soldiers by armed forces and groups, including cross-border recruitment and abduction of children,

Reaffirming its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

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[180] S/PRST/1998/20.

[181] S/PRST/1998/26.

[182] S/PRST/1998/36.

[183] S/PRST/1999/17.

[184] S/PRST/2000/2.

[185] S/PRST/2000/15.

[186] S/PRST/2000/20.

[187] S/PRST/2000/28.

Reaffirming also its support for the Lusaka Ceasefire Agreement signed on 10 July 1999,[188] as well as the Kampala plan and the Harare sub-plans for disengagement and redeployment,

Stressing the importance of giving new impetus to the peace process in order to secure the full and definitive withdrawal of all foreign troops from the Democratic Republic of the Congo,

Also stressing the importance of advancing the political process called for under the Ceasefire Agreement and facilitating national reconciliation,

Recalling the responsibilities of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo, and noting with satisfaction the recent statements by the President of the Democratic Republic of the Congo and his assurances of support for the deployment of the Mission,

Welcoming the participation of the members of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement in its meetings of 21[189] and 22 February 2001,[190] and stressing the need for the parties to honour the commitments they made to take concrete steps to advance the peace process,

Commending the outstanding work of Mission personnel in challenging conditions, and noting the strong leadership of the Special Representative of the Secretary-General,

Taking note of the report of the Secretary-General of 12 February 2001[191] and his conclusion that the necessary conditions of respect for the ceasefire, a valid plan for disengagement and cooperation with the Mission are being met,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. *Notes* the recent progress made in achieving respect for the ceasefire, and urgently calls upon all parties to the Lusaka Ceasefire Agreement[188] not to resume hostilities and to implement this agreement, as well as the agreements reached in Kampala and Harare and the relevant Security Council resolutions;

2. *Demands once again* that Ugandan and Rwandan forces and all other foreign forces withdraw from the territory of the Democratic Republic of the Congo in compliance with paragraph 4 of resolution 1304 (2000) and the Ceasefire Agreement, and urges those forces to take urgent steps to accelerate this withdrawal;

3. *Demands* that the parties implement fully the Kampala plan and the Harare sub-plans for disengagement and redeployment of forces without reservations within the fourteen-day period stipulated in the Harare Agreement, starting from 15 March 2001;

4. *Welcomes* the commitment by the Rwandan authorities in their letter dated 18 February 2001[192] to withdraw their forces from Pweto in accordance with the Harare Agreement, calls upon them to implement this commitment, and calls upon the other parties to respect this withdrawal;

5. *Welcomes also* the commitment of the Ugandan authorities to reduce immediately by two battalions the strength of their forces in the territory of the Democratic Republic of the Congo calls upon the Ugandan authorities to implement this commitment, and calls upon the United Nations Organization Mission in the Democratic Republic of the Congo to verify it;

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[188] S/1999/815, annex.

[189] S/PV.4280.

[190] S/PV.4281.

[191] S/2001/128.

[192] S/2001/147.

6. *Urges* the parties to the Ceasefire Agreement to prepare and adopt no later than 15 May 2001, in close liaison with the Mission, a precise plan and schedule which, in accordance with the Ceasefire Agreement, would lead to the completion of the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo, and requests the Secretary-General to report to it by 15 April 2001 on the progress of these efforts;

7. *Demands* that all parties refrain from any offensive military action during the process of disengagement and withdrawal of foreign forces;

8. *Urges* all parties to the conflict, in close liaison with the Mission, to prepare by 15 May 2001 for immediate implementation prioritized plans for the disarmament, demobilization, reintegration, repatriation or resettlement of all armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement, and demands that all parties cease all forms of assistance to and cooperation with these groups and use their influence to urge such groups to cease their activities;

9. *Condemns* the massacres and atrocities committed in the territory of the Democratic Republic of the Congo, and demands once again that all parties concerned put an immediate end to violations of human rights and international humanitarian law;

10. *Demands* that all armed forces and groups concerned bring an effective end to the recruitment, training and use of children in their armed forces, calls upon them to extend full cooperation to the Mission, the United Nations Children's Fund and humanitarian organizations for speedy demobilization, return and rehabilitation of such children, and requests the Secretary-General to entrust the Special Representative of the Secretary-General for Children and Armed Conflicts with pursuing these objectives on a priority basis;

11. *Calls upon* all parties to ensure the safe and unhindered access of relief personnel to all those in need, and recalls that the parties must also provide guarantees for the safety, security and freedom of movement of United Nations and associated humanitarian relief personnel;

12. *Also calls upon* all parties to respect the principles of neutrality and impartiality in the delivery of humanitarian assistance;

13. *Calls upon* the international community to increase its support to humanitarian relief activities within the Democratic Republic of the Congo and in neighbouring countries affected by the crisis in the Democratic Republic of the Congo;

14. *Reminds* all parties of their obligations with respect to the security of civilian populations under the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[193] and stresses that occupying forces should be held responsible for human rights violations in the territory under their control;

15. *Welcomes* the expressed willingness of the authorities of the Democratic Republic of the Congo to proceed with the Inter-Congolese Dialogue under the aegis of the neutral Facilitator, Sir Ketumile Masire, and in this regard welcomes the announcement by the President of the Democratic Republic of the Congo at the Summit held in Lusaka on 15 February 2001 that the Facilitator has been invited to Kinshasa, and calls upon all Congolese parties to take immediate concrete steps to advance the Dialogue;

16. *Reiterates* that the Mission shall cooperate closely with the Facilitator of the Inter-Congolese Dialogue, provide support and technical assistance to him, and coordinate the activities of other United Nations agencies to this effect;

17. *Calls upon* all parties to the conflict to cooperate fully in the deployment and operations of the Mission, including through full implementation of the provisions and the principles of the status-of-forces agreement throughout the territory of the Democratic Republic of

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[193] United Nations, *Treaty Series*, vol. 75, No. 973.

the Congo, and reaffirms that it is the responsibility of all the parties to ensure the security of United Nations personnel, together with associated personnel;

18. *Requests* the parties, as a follow-up to the discussions on this matter at the Lusaka Summit, to relocate the Joint Military Commission to Kinshasa, co-locating it at all levels with the Mission, and calls upon the authorities of the Democratic Republic of the Congo to ensure the security of all the members of the Joint Military Commission;

19. *Reaffirms* the authorization contained in resolution 1291 (2000) and the mandate set out in that resolution for the expansion and deployment of the Mission, and endorses the updated concept of operations put forward by the Secretary-General in his report of 12 February 2001,[191] with a view to the deployment of all the civilian and military personnel required to monitor and verify the implementation by the parties of the ceasefire and disengagement plans, stressing that this disengagement is a first step towards the full and definitive withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo;

20. *Emphasizes* that it will be prepared to consider a further review of the concept of operations for the Mission, when appropriate and in the light of developments, in order to monitor and verify the withdrawal of foreign troops and the implementation of the plans mentioned in paragraph 8 above and, in coordination with existing mechanisms, to enhance security on the border of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi, and requests the Secretary-General to make proposals when appropriate;

21. *Reaffirms* that it is ready to support the Secretary-General if and when he deems it necessary and the Council determines that conditions allow it to deploy troops in the border areas in the east of the Democratic Republic of the Congo, including possibly in Goma or Bukavu;

22. *Welcomes* the dialogue initiated between the authorities of the Democratic Republic of the Congo and Burundi, urges them to continue their efforts, and emphasizes in this respect that the settlement of the crisis in Burundi would contribute positively to the settlement of the conflict in the Democratic Republic of the Congo;

23. *Welcomes also* the recent meetings of the parties, including the meeting of the Presidents of the Democratic Republic of the Congo and Rwanda, encourages them to intensify their dialogue with the goal of achieving regional security structures based on common interest and mutual respect for the territorial integrity, national sovereignty and security of both States, and emphasizes in this respect that the disarmament and demobilization of and cessation of any support to the ex-Rwandese Armed Forces and Interahamwe will facilitate the settlement of the conflict in the Democratic Republic of the Congo;

24. *Expresses its full support* for the work of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, and once again urges the parties to the conflict in the Democratic Republic of the Congo and the other parties concerned to cooperate fully with it;

25. *Reaffirms* that it attaches the highest importance to the cessation of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, affirms that it is ready to consider the necessary actions to put an end to this exploitation, and awaits with interest in this respect the final conclusions of the Expert Panel, including the conclusions relating to the level of cooperation of States with the Panel;

26. *Reaffirms also* that an international conference on peace, security, democracy and development in the Great Lakes region, with participation by all Governments of the region and all other parties concerned, should be organized at the appropriate time under the aegis of the United Nations and the Organization of African Unity, with a view to strengthening stability in the region and working out conditions that will enable everyone to enjoy the right to live peacefully within national borders;

27. *Expresses its intention* to monitor closely progress by the parties in implementing the requirements of the present resolution and to undertake a mission to the region, possibly in May 2001, to monitor progress and discuss the way forward;

28. *Expresses its readiness* to consider possible measures which could be imposed, in accordance with its responsibilities and obligations under the Charter of the United Nations, in case of failure by parties to comply fully with the present resolution;

29. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4282nd meeting.

Decisions

On 28 March 2001, the President of the Security Council addressed the following letter to the Secretary-General:[194]

> "I have the honour to inform you that your letter dated 23 March 2001 concerning the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo[195] has been brought to the attention of the members of the Security Council. They take note of your recommendation that the Panel should submit its final report to the Council by 3 April 2001."

On 6 April 2001, the President of the Security Council addressed the following letter to the Secretary-General:[196]

> "I have the honour to inform you that your letter dated 3 April 2001 concerning the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo[197] has been brought to the attention of the members of the Security Council. They take note of your recommendation that the Panel should submit its final report to the Council by 16 April 2001."

On 24 April 2001, the President of the Security Council addressed the following letter to the Secretary-General:[198]

> "I have the honour to inform you that your letter dated 18 April 2001[199] concerning your proposal to include Algeria, Bangladesh, Belgium, Benin, Bolivia, Burkina Faso, Canada, China, the Czech Republic, Denmark, Egypt, France, Ghana, India, Jordan, Kenya, the Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Morocco, Mozambique, Nepal, the Niger, Nigeria, Pakistan, Peru, Poland, Romania, the Russian Federation, Senegal, South Africa, Sweden, Switzerland, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, Uruguay and Zambia in the list of countries contributing military personnel to the United Nations Organization Mission in the Democratic Republic of the Congo has been brought to the attention of the members of the Security Council. They take note of the proposal contained therein."

At its 4317th meeting, on 3 May 2001, the Council decided to invite the representatives of Angola, Burundi, Canada, the Democratic Republic of the Congo, Japan, Namibia, Rwanda, the

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[194] S/2001/289.

[195] S/2001/288.

[196] S/2001/339.

[197] S/2001/338.

[198] S/2001/406.

[199] S/2001/405.

Sudan, Sweden, Uganda and the United Republic of Tanzania to participate, without vote, in the discussion of the item entitled:

> "The situation concerning the Democratic Republic of the Congo
>
> > "Letter dated 12 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/357)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Safiatou Ba-N'Daw, Chairperson of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo.

Upon resumption of the meeting, on 3 May 2001, the Council further decided to invite the representative of Zimbabwe to participate, without vote, in the discussion of the item.

At its 4318th meeting, on 3 May 2001, the Council considered the item entitled:

> "The situation concerning the Democratic Republic of the Congo
>
> > "Letter dated 12 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/357)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[200]

> "The Security Council recalls the statement by its President of 2 June 2000[186] It expresses its intention to give full consideration to the report of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo.[201] It takes note of the action plan of the Expert Panel for the extension of its mandate.[202]
>
> "The Council notes that the report contains disturbing information about the illegal exploitation of Congolese resources by individuals, Governments and armed groups involved in the conflict, and about the link between the exploitation of the natural resources and other forms of wealth in the Democratic Republic of the Congo and the continuation of the conflict.
>
> "The Council condemns the illegal exploitation of the natural resources of the Democratic Republic of the Congo and expresses its serious concern at those economic activities that fuel the conflict. It urges the Governments named in the report in this regard to conduct their own inquiries into this information, cooperate fully with the Expert Panel while ensuring necessary security for the experts and take immediate steps to end illegal exploitation of the natural resources by their nationals or others under their control.
>
> "The Council notes with concern the terrible toll the conflict is taking on the people, economy and environment of the Democratic Republic of the Congo.
>
> "The Council believes that the only viable solution to the crisis in the Democratic Republic of the Congo remains the full implementation of the Lusaka Ceasefire Agreement signed on 10 July 1999[188] and the relevant Council resolutions.
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> "The Council emphasizes the importance of a comprehensive approach addressing all the root causes of the conflict to achieve a lasting peace settlement in the Democratic Republic of the Congo.

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[200] S/PRST/2001/13.

[201] S/2001/357.

[202] S/2001/416.

"The Council requests the Secretary-General to extend the mandate of the Expert Panel for a final period of three months and requests also that the Expert Panel submit to the Council, through the Secretary-General, an addendum to its final report which shall include the following:

"(*a*) An update of relevant data and an analysis of further information, including as pointed out in the action plan submitted by the Expert Panel to the Council;

"(*b*) Relevant information on the activities of countries and other actors for which the necessary quantity and quality of data were not made available earlier;

"(*c*) A response, based as far as possible on corroborated evidence, to the comments and reactions of the States and actors cited in the final report of the Expert Panel;

"(*d*) An evaluation of the situation at the end of the extension of the mandate of the Panel, and of its conclusions, assessing whether progress has been made on the issues which come under the responsibility of the Panel.

"The Council expresses its intention to examine and respond to the recommendations of the report in the light of the addendum submitted by the Expert Panel, so as to advance the peace process in the Democratic Republic of the Congo."

At its 4327th meeting, on 13 June 2001, the Council decided to invite the representatives of Burundi, the Democratic Republic of the Congo, Egypt, Japan, Namibia, Rwanda and Sweden to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Eighth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2001/572)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Mr. Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict.

Upon resumption of the meeting, on 13 June 2001, the Council further decided to invite the representative of Uganda to participate, without vote, in the discussion of the item.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4329th meeting, on 15 June 2001, the Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Eighth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2001/572)".

Resolution 1355 (2001)
of 15 June 2001

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1265 (1999) of 17 September 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, 1291 (2000) of 24 February 2000, 1296 (2000) of 19 April 2000, 1304 (2000) of 16 June 2000, 1323 (2000) of 13 October 2000, 1332 (2000) of 14 December 2000 and 1341 (2001) of 22 February 2001 and the statements by its President of 13 July,[180] 31 August[181] and 11 December 1998,[182] 24 June 1999,[183] 26 January,[184] 5 May,[185] 2 June[186] and 7 September 2000[187] and 3 May 2001,[200] *Reaffirming* the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States in the region,

Reaffirming also the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming further the sovereignty of the Democratic Republic of the Congo over its natural resources,

Expressing its alarm at the dire consequences of the prolonged conflict for the civilian population throughout the territory of the Democratic Republic of the Congo, in particular the increase in the number of refugees and displaced persons, and stressing the urgent need for substantial humanitarian assistance to the Congolese population,

Expressing its deep concern at all violations of human rights and international humanitarian law, including atrocities against civilian populations, especially in the eastern provinces,

Deeply concerned at the increased rate of HIV/AIDS infection, in particular amongst women and girls in the Democratic Republic of the Congo,

Gravely concerned by the continued recruitment and use of child soldiers by armed forces and groups, including cross-border recruitment and abduction of children,

Reaffirming its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Reaffirming its support for the Lusaka Ceasefire Agreement signed on 10 July 1999,[188] as well as the Kampala plan and the Harare sub-plans for disengagement and redeployment,

Reaffirming that the primary responsibility for implementing the Ceasefire Agreement lies with the parties,

Reiterating its support for the Inter-Congolese Dialogue and the Facilitator, and stressing the need for the parties to resolve outstanding substantive and procedural issues,

Recalling the responsibility of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo,

Endorsing the report of the Security Council mission to the Great Lakes region,[203] and recalling the communiqué of the joint meeting of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement in the Democratic Republic of the Congo and the Security Council mission to the Great Lakes region,[204]

Taking note of report of the Secretary-General of 8 June 2001,[205] and its recommendations,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

A

Acting under Chapter VII of the Charter,

1. *Notes with satisfaction* that the ceasefire among the parties to the Lusaka Ceasefire Agreement[188] has been respected, welcomes the progress on disengagement and redeployment noted in the report of the Secretary-General of 8 June 2001,[205] and reiterates its urgent call upon all

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[203] S/2001/521 and Add.1.

[204] S/2001/525.

[205] S/2001/572.

parties to the Ceasefire Agreement to implement this agreement, as well as the agreements reached in Kampala and Harare and all relevant Security Council resolutions;

2. *Demands* that the Front de libération du Congo disengage and redeploy its forces in accordance with the Harare sub-plans and the commitment it made to the Security Council mission to the Great Lakes region in their meeting of 25 May 2001, and expresses its intention to monitor this process;

3. *Demands once again* that Ugandan and Rwandan forces and all other foreign forces withdraw from the territory of the Democratic Republic of the Congo in compliance with paragraph 4 resolution 1304 (2000) and the Ceasefire Agreement, urges those forces to take the necessary steps to accelerate this withdrawal, and welcomes in this regard the decision by Ugandan authorities to start withdrawing their troops from the territory of the Democratic Republic of the Congo;[206]

4. *Calls upon* all the parties to refrain from any offensive action during the process of disengagement and withdrawal of foreign forces, and expresses concern at recent reports of military operations in North Kivu and South Kivu;

5. *Demands* that the Rassemblement Congolais pour la Démocratie demilitarize Kisangani in accordance with resolution 1304 (2000), and that all parties respect the demilitarization of the city and its environs;

6. *Demands also* that all parties, including the Government of the Democratic Republic of the Congo, cease immediately all forms of assistance to and cooperation with all armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement;

7. *Takes note* of the plans drafted by the Political Committee for the Implementation of the Lusaka Ceasefire Agreement for the orderly withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo and for the disarmament, demobilization, repatriation and reintegration of all armed groups in the Democratic Republic of the Congo,[207] and calls upon the parties to finalize those plans and to implement them as a matter of urgency;

8. *Requests*, with a view to ensuring the finalization of those plans, all parties that have not already done so to provide the Joint Military Commission, as soon as possible, with all necessary operational information on the withdrawal, including the numbers and locations of the foreign forces, their assembly areas and withdrawal routes and the timetable, and on disarmament, demobilization, repatriation and reintegration, including the numbers, location and armaments of the armed groups and the proposed sites of their demobilization areas, in order to facilitate United Nations planning to assist the parties in the implementation of those plans;

9. *Encourages* the Presidents and Governments of the Democratic Republic of the Congo and Rwanda to intensify their dialogue with the goal of achieving regional security structures based on common interest and mutual respect for the territorial integrity, national sovereignty and security of both States, and emphasizes in this respect that the disarmament and demobilization of, and cessation of any support to, the ex-Rwandese Armed Forces and Interahamwe are essential to the settlement of the conflict in the Democratic Republic of the Congo;

10. *Condemns* the recent incursions by armed groups into Rwanda and Burundi;

11. *Welcomes* the dialogue initiated between the authorities of the Democratic Republic of the Congo and Burundi, strongly urges them to continue their efforts, calls upon all States in the region to bring to bear their influence on Burundian armed groups to encourage them to refrain

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[206] S/2001/461.

[207] S/2001/521/Add.1.

from violence, to enter negotiations for a political settlement and to join the Arusha peace process, and demands that all States in the region cease any military support to such groups;

12. *Stresses* that a durable peace in the Democratic Republic of the Congo should not be achieved at the expense of peace in Burundi, and requests the Secretary-General as well as interested Member States to make proposals, on an urgent basis, on how best to address these interrelated crises;

13. *Welcomes* the announcement by the Facilitator of the Inter-Congolese Dialogue of the organization of the Preparatory Meeting of the Inter-Congolese Dialogue on 16 July 2001, calls upon all Congolese parties to commence the Dialogue as soon as possible, preferably on Congolese soil, and to ensure a successful outcome, and welcomes in this regard the initial measures taken by the authorities of the Democratic Republic of the Congo towards the liberalization of political activities;

14. *Calls upon* all relevant parties to ensure that urgent child protection concerns, including the disarmament, demobilization, repatriation and reintegration of child soldiers, the plight of girls affected by the conflict, the protection and safe return of refugee and internally displaced children and the registration and reunification of unaccompanied or orphaned children, are addressed in all national, bilateral and regional dialogues, and that solutions are designed in accordance with international best practice;

15. *Condemns* the massacres and atrocities committed in the territory of the Democratic Republic of the Congo, demands once again that all parties to the conflict put an immediate end to violations of human rights and international humanitarian law, and stresses that those responsible will be held accountable;

16. *Reminds* all parties of their obligations with respect to the security of civilian populations under the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[193] and stresses that all forces present in the territory of the Democratic Republic of the Congo are responsible for preventing violations of international humanitarian law in the territory under their control;

17. *Condemns strongly* the attacks against the personnel of humanitarian organizations, and demands that the perpetrators be brought to justice;

18. *Condemns* the use of child soldiers, demands that all armed forces and groups concerned bring to an end all forms of recruitment, training and use of children in their armed forces, calls upon all parties to collaborate with the United Nations, humanitarian organizations and other competent bodies to ensure the expeditious demobilization, rehabilitation and reintegration of children abducted or enrolled in armed forces or groups and to allow their reunification with their families, and urges Member States to ensure adequate and sustained resources for long-term reintegration;

19. *Calls upon* all parties to ensure, in accordance with relevant international law, the full, safe and unhindered access of relief personnel to all those in need and the delivery of humanitarian assistance, in particular to all children affected by the conflict, and recalls that the parties must also provide guarantees for the safety, security and freedom of movement of United Nations and associated humanitarian personnel;

20. *Calls upon* the international community to increase its support for humanitarian relief activities within the Democratic Republic of the Congo and in neighbouring countries affected by the conflict in the Democratic Republic of the Congo;

21. *Expresses its full support* for the work of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, and notes that the report of the Expert Panel of 12 April 2001[201] contains disturbing information about the illegal exploitation of Congolese resources by individuals, Governments and armed groups involved in the conflict and the link between the exploitation of the natural resources and other forms of wealth in the Democratic Republic of the Congo and the continuation of the conflict;

22. *Reaffirms* that it attaches the highest importance to the cessation of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, and reaffirms that it is ready to consider the necessary actions to put an end to this exploitation;

23. *Awaits* in this respect the publication of the addendum to the report of the Expert Panel which should contain an updated evaluation of the situation, again urges all parties to the conflict in the Democratic Republic of the Congo and the other parties concerned to cooperate fully with the Panel while ensuring necessary security for the experts, and welcomes the action taken by Ugandan authorities in setting up a commission of inquiry in this regard;

24. *Stresses* the link between the progress in the peace process and the economic recovery of the Democratic Republic of the Congo, welcomes initial economic reforms undertaken by the Government of the Democratic Republic of the Congo, and underlines the urgent need for international economic assistance;

25. *Stresses also* the importance of the restoration of river traffic, welcomes the reopening of the Congo and the Oubangui Rivers, calls urgently upon all parties, in particular the Rassemblement Congolais pour la Démocratie in the light of its recent public comments, to cooperate further in order to permit the re-establishment of economic links between, inter alia, Kinshasa, Mbandaka and Kisangani, and expresses its support for the proposed establishment of a Congo River Basin commission comprising the Congolese parties, United Nations agencies and some neighbouring countries, under the chairmanship of the United Nations Organization Mission in the Democratic Republic of the Congo;

26. *Stresses further* that durable peace can be achieved only if all the countries of the region are successful in defining amongst themselves the rules by which to promote security and development, and reaffirms in this regard that an international conference on peace, security, democracy and development in the region, with participation by all the Governments of the region and all other parties concerned, should be organized at the appropriate time under the aegis of the United Nations and the Organization of African Unity;

27. *Expresses its intention* to monitor closely progress by the parties in implementing the requirements and demands of the present resolution;

28. *Expresses again its readiness* to consider possible measures which could be imposed, in accordance with its responsibilities and obligations under the Charter of the United Nations, in case of failure by parties to comply fully with the present resolution and other relevant resolutions;

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29. *Decides* to extend the mandate of the Mission until 15 June 2002, and decides also to review progress at least every four months based on reporting by the Secretary-General;

30. *Requests* the Secretary-General to submit to the Council, once all necessary information has been provided by the parties to the Ceasefire Agreement and subject to the continuing cooperation of the parties, proposals concerning the way the Mission could assist in, monitor and verify the implementation by the parties of the plans referred to in paragraphs 7 and 8 above;

31. *Approves* the updated concept of operations put forward by the Secretary-General in paragraphs 84 to 104 of his report of 8 June 2001,[205] including, for further planning purposes, the creation of a civilian police component and of an integrated civilian and military section to coordinate disarmament, demobilization, repatriation and reintegration operations, the strengthening of the Mission presence in Kisangani, and the strengthening of the logistic support capability of the Mission to support current and foreseen future deployment, with a view to preparing the transition towards the third phase of the deployment of the Mission after the necessary information has been provided by the parties;

32. *Authorizes* in this regard the Mission, consistent with the report of the Secretary-General, to assist, upon request and within its capabilities, in the early implementation on a

voluntary basis of the disarmament, demobilization, repatriation and reintegration of armed groups, and requests the Secretary-General to deploy military observers in locations where early withdrawal is implemented, with a view to monitoring the process;

33. *Reiterates* the authorization contained in resolution 1291 (2000) for up to 5,537 Mission military personnel, including observers as deemed necessary by the Secretary-General;

34. *Requests* the Secretary-General to expand the civilian component of the Mission, in accordance with the recommendations contained in his report, in order to assign to areas in which the Mission is deployed human rights personnel, so as to establish a human rights monitoring capacity, as well as civilian political affairs and humanitarian affairs personnel;

35. *Calls upon* the Secretary-General to ensure sufficient deployment of child protection advisers to ensure consistent and systematic monitoring and reporting on the conduct of the parties to the conflict as concerns their child protection obligations under humanitarian and human rights law and the commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict;

36. *Stresses* the need for an increased public information capacity, including the establishment of United Nations radio stations to promote understanding of the peace process and of the role of the Mission among local communities and the parties;

37. *Calls upon* all parties to the conflict to cooperate fully in the deployment and operations of the Mission, including through full implementation of the provisions of the status-of-forces agreement throughout the territory of the Democratic Republic of the Congo, and reaffirms that it is the responsibility of all the parties to ensure the security of United Nations personnel, together with associated personnel;

38. *Stresses* the need for the co-location of the Joint Military Commission with the Mission in Kinshasa;

39. *Reaffirms* that it is ready to support the Secretary-General if and when he deems it necessary and when conditions allow it, in the context of viable security frameworks, to further deploy military personnel in the border areas in the east of the Democratic Republic of the Congo;

40. *Expresses its appreciation* for the partnership established with the parties to the Ceasefire Agreement, which was strengthened during the last Security Council mission to the Great Lakes region, and reiterates that it is firmly determined to continue to provide assistance to the parties in their efforts to achieve peace;

41. *Commends* the outstanding work of Mission personnel who operate in challenging conditions, and expresses its strong support for the Special Representative of the Secretary-General;

42. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4329th meeting.

Decisions

At its 4348th meeting, on 24 July 2001, the Security Council decided to invite the representatives of Belgium, the Democratic Republic of the Congo, Namibia, Rwanda and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Briefing by Mr. Kamel Morjane, Special Representative of the Secretary-General and Head of the United Nations Organization Mission in the Democratic Republic of the Congo".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kamel Morjane, Special Representative of the Secretary-General and Head of the United Nations Organization Mission in the Democratic Republic of the Congo.

At its 4349th meeting, on 24 July 2001, the Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[208]

"The Security Council notes with satisfaction the progress made so far in the peace process in the Democratic Republic of the Congo.

"The Council calls upon all parties to the conflict to fulfil all their commitments, implement fully the Lusaka Ceasefire Agreement signed on 10 July 1999[188] and complete the disengagement and redeployment of their forces in accordance with the Kampala plan and the Harare sub-plans, which the United Nations Organization Mission in the Democratic Republic of the Congo will verify.

"The Council finds it unacceptable that more than one year after the adoption of its resolution 1304 (2000) of 16 June 2000 containing the demand completely to demilitarize Kisangani, reiterated in resolution 1355 (2001) of 15 June 2001, the Rassemblement Congolais pour la Démocratie has thus far failed to comply with it. The Council calls upon the Rassemblement Congolais pour la Démocratie to implement fully and immediately its obligation under resolution 1304 (2000), and notes that continued failure to do so may have future implications.

"The Council reminds all the parties of their obligation to cooperate fully with the Mission and of their obligations with respect to the security of civilian populations under the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.[193] The Council urges the relevant parties to expedite the conclusion of their investigation into the killing of six staff members of the International Committee of the Red Cross in eastern Democratic Republic of the Congo, to report their findings to the International Committee and to bring the perpetrators to justice.

"The Council calls upon all parties to facilitate and support humanitarian efforts of the United Nations and non-governmental organizations. It stresses the importance of the work of the United Nations Humanitarian Coordinator.

"The Council reiterates its call for the cessation of the illegal exploitation of the natural resources of the Democratic Republic of the Congo. In this regard, it calls upon all parties to cooperate fully with the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo and, looking forward to the addendum to the report of the Panel, reiterates its readiness to consider the necessary actions to put an end to this exploitation.

"The Council reiterates its demand that all parties accelerate the finalization and the implementation of comprehensive plans for the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo and the disarmament, demobilization, reintegration, repatriation and resettlement of all armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement.

"The Council expresses serious concern over the activities of the armed groups in the east of the country. It notes with interest the invitation by the President of the Democratic Republic of the Congo to the Mission to visit the camps where some members of the armed groups have reportedly been quartered by the Congolese Armed Forces, and stresses the importance of the Mission assisting, within its capabilities, in the early implementation, on a

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[208] S/PRST/2001/19.

> voluntary basis, of the disarmament, demobilization, reintegration, repatriation and resettlement of those armed groups, in accordance with the authorization given in resolution 1355 (2001). In this regard, the Council requests the donor community, in particular the World Bank and the European Union, to provide financial and in-kind contributions to the Mission as soon as possible in the implementation of this mission.
>
> "The Council reiterates its firm support for the Inter-Congolese Dialogue and the efforts of the Facilitator and his team in the field. It emphasizes the importance of an open, representative and inclusive dialogue, free from outside interference and involving civil society, leading to a consensus settlement. It calls upon the Congolese parties to the Ceasefire Agreement to cooperate fully with the Facilitator to enable him to conduct the process in a swift and constructive manner. It expresses the hope that the Dialogue can be held on Congolese soil, respecting the choice that the Congolese actors themselves will make. It encourages donors to continue to provide support to the Facilitator's mission.
>
> "The Council welcomes the recent high-level meetings between the Presidents of the Democratic Republic of the Congo, Rwanda and Uganda and encourages them further to pursue the Dialogue to find solutions to their common security concerns, in accordance with the Ceasefire Agreement.
>
> "The Council reiterates its commitment to support full implementation of the Ceasefire Agreement. It reaffirms that the primary responsibility for implementing the Agreement lies with the parties. The Council urges them to demonstrate the necessary political will by cooperating with each other and with the Mission in achieving this goal. It expresses its readiness to consider, subject to necessary progress made by the parties and to recommendations of the Secretary-General, the possible expansion of the Mission if and when the it enters its third phase.
>
> "The Council commends the Special Representative of the Secretary-General, Mr. Kamel Morjane, for his outstanding work and invaluable contribution to the peace process in the Democratic Republic of the Congo."

On 2 August 2001, the President of the Security Council addressed the following letter to the Secretary-General:[209]

> "I have the honour to inform you that your letter dated 31 July 2001 concerning your intention to appoint Mr. Amos Namanga Ngongi, of Cameroon, as your Special Representative for the Democratic Republic of the Congo[210] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4361st meeting, on 30 August 2001, the Council decided to invite the representatives of Belgium, the Democratic Republic of the Congo, Namibia and Rwanda to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4364th meeting, held in private on 5 September 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

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[209] S/2001/761.

[210] S/2001/760.

> "At its 4364th meeting, held in private on 5 September 2001, the Security Council considered the situation concerning the Democratic Republic of the Congo.
>
> "The Council heard a briefing under rule 39 of its provisional rules of procedure by Sir Ketumile Masire, Facilitator of the Inter-Congolese Dialogue.
>
> "The members of the Council made comments and posed questions in connection with the briefing.
>
> "Sir Ketumile Masire responded to the comments and questions posed by members of the Council."

At its 4365th meeting, on 5 September 2001, the Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[211]

> "The Security Council welcomes the success of the preparatory meeting of the Inter-Congolese Dialogue, held in Gaborone from 20 to 24 August 2001.
>
> "The Council reiterates its strong support for the Inter-Congolese Dialogue and for the efforts of the Facilitator of the Inter-Congolese Dialogue and his team in the field. It calls upon all the Congolese parties to cooperate further with each other and the Facilitator in the constructive spirit of Gaborone to ensure the successful outcome of the Inter-Congolese Dialogue starting on 15 October 2001, in Addis Ababa.
>
> "The Council stresses the importance for the Dialogue to be free from outside interference, open, representative and inclusive, and emphasizes the need to ensure adequate representation of Congolese women in the process.
>
> "The Council encourages donors to provide further support to the Facilitator and, in due course, the process of implementing a new political dispensation in the Democratic Republic of the Congo.
>
> "The Council urges all the parties to the Lusaka Ceasefire Agreement signed on 10 July 1999[188] to press forward with the full and early implementation of that Agreement, including disarmament, demobilization, reintegration, repatriation and resettlement of the armed groups, and the withdrawal of foreign forces."

On 8 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[212]

> "I have the honour to inform you that your letter dated 3 October 2001 concerning the extension of the mandate of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo[213] has been brought to the attention of the members of the Security Council. They take note of your recommendation that the mandate of the Panel should be extended until 30 November 2001 to enable it to submit its report to the Council by mid-November 2001."

At its 4395th meeting, on 24 October 2001, the Council decided to invite the representatives of Belgium, the Democratic Republic of the Congo, Mozambique, Namibia, Zambia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Ninth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2001/970)".

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[211] S/PRST/2001/22.

[212] S/2001/951.

[213] S/2001/950.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Amos Namanga Ngongi, Special Representative of the Secretary-General for the Democratic Republic of the Congo.

At its 4396th meeting, on 24 October 2001, the Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo"

> "Ninth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2001/970)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[214]

"The Security Council welcomes the recommendations of the Secretary-General on the next phase in the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo, as contained in his report of 16 October 2001.[215]

"The Council supports the initiation of phase III of the deployment of the Mission within the currently mandated ceiling and, in particular, its deployment towards the east of the Democratic Republic of the Congo.

"The Council reminds the parties to the conflict that they are responsible for the continuation of the peace process. It is up to them to create and to maintain conditions conducive to the start of phase III of the Mission by fully implementing the commitments they have undertaken. The Council will take its decisions on the future of phase III of the Mission after ascertaining that the parties to the Lusaka Ceasefire Agreement signed on 10 July 1999[188] are committed to continuing, in a spirit of partnership, to make the efforts necessary to advance the peace process. The next meeting between the Council and members of the Political Committee established by the Ceasefire Agreement will provide an opportunity to discuss these issues.

"The Council recalls the importance it places on the implementation of the Ceasefire Agreement and the relevant resolutions of the Council. In particular, the Council:

- Calls upon those States which have not yet done so to withdraw from the territory of the Democratic Republic of the Congo in accordance with the Ceasefire Agreement and the relevant Council resolutions;

- Calls upon all parties to cease any support for armed groups and to implement the process of disarmament, demobilization, repatriation, resettlement and reintegration of the groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement;

- Emphasizes the importance of the Inter-Congolese Dialogue and calls upon the Congolese parties to work together for the success of this process; and

- Demands the demilitarization of Kisangani, in conformity with its resolution 1304 (2000) of 16 June 2000.

"The Council expresses serious concern at the worsening humanitarian and human rights situation, particularly in the eastern part of the Democratic Republic of the Congo, and reiterates its call for all the parties to address urgently the human rights abuses, including those raised in the ninth report of the Secretary-General,[215] in the Government-controlled territory, the territory controlled by the Front de libération du Congo and the territory controlled by the Rassemblement Congolais pour la Démocratie."

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[214] S/PRST/2001/29.

[215] S/2001/970.

At its 4410th meeting, on 9 November 2001, the Council decided to invite the Minister for Foreign Affairs of Angola and current Chairman of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement; the Minister for Foreign Affairs and Cooperation of Burundi; the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo; the Deputy Minister for Foreign Affairs, Information and Broadcasting of Namibia; the Special Envoy of the President of the Rwandese Republic; the Deputy Prime Minister and Minister for Foreign Affairs of Uganda; the Minister for Foreign Affairs of Zambia; and the Minister for Foreign Affairs of Zimbabwe, to take seats at the Council table in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Amos Namanga Ngongi, Special Representative of the Secretary-General for the Democratic Republic of the Congo; Mr. Amadou Kébé, Permanent Observer of the Organization of African Unity/African Union to the United Nations; Mr. Archibald M. Mogwe, Representative of the Facilitator of the Inter-Congolese Dialogue.; Mr. Olivier Kamitatu, Representative for the Mouvement de libération du Congo; Mr. Azarias Ruberwa, Secretary-General of the Rassemblement Congolais pour la Démocratie-Goma; and Mr. Pashi-Claver, Representative for the Rassemblement Congolais pour la Démocratie-Kisangani.

At its 4411th meeting, held in private on 9 November 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4411th meeting, held in private on 9 November 2001, the Security Council continued its consideration of the situation concerning the Democratic Republic of the Congo.
>
> "The President extended invitations in accordance with the relevant provisions of the Charter of the United Nations and rules 37 and 39 of the provisional rules of procedure of the Council, as appropriate, to the members of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement, Burundi and Zambia, as well as the Permanent Observer of the Organization of African Unity/African Union, and the Special Representative of the Secretary-General for the Democratic Republic of the Congo.
>
> "The members of the Council and the members of the Political Committee had a frank and constructive discussion."

At its 4412th meeting, on 9 November 2001, the Council decided to invite the representative of Belgium to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1376 (2001)
of 9 November 2001

The Security Council,

Recalling its previous resolutions and the statements by its President,

Reaffirming the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State or in any other manner inconsistent with the purposes of the United Nations, and reaffirming also the political independence, territorial integrity and sovereignty of the Democratic Republic of the Congo, including over its natural resources,

Taking note of the report of the Secretary-General of 16 October 2001[215] and the recommendations therein, *Welcoming* the participation of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement in joint meetings held on 9 November 2001,[216]

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

1. *Welcomes* the general respect for the ceasefire among the parties to the Lusaka Ceasefire Agreement signed on 10 July 1999,[188] expresses nonetheless its concern at the hostilities in areas of the eastern Democratic Republic of the Congo, and calls upon the parties to cease any form of support to the armed groups, particularly in the east of the country;

2. *Welcomes also* the withdrawal of some foreign forces from the Democratic Republic of the Congo, including the full Namibian contingent, as a positive step towards the full withdrawal of all foreign forces, and requests all States that have not yet done so to begin to implement, without delay, their full withdrawal in accordance with resolution 1304 (2000) of 16 June 2000;

3. *Demands once again* that Kisangani be demilitarized rapidly and unconditionally in accordance with resolution 1304 (2000), takes note of the pledge by the Rassemblement Congolais pour la Démocratie-Goma during the 4411th meeting of 9 November 2001 fully to demilitarize the city, welcomes the decision of the Secretary-General to further deploy personnel of the United Nations Organization Mission in the Democratic Republic of the Congo in this city, notably to contribute to the training of police, stresses that, once demilitarized, no party will be permitted to reoccupy the city militarily, and welcomes in this regard the pledge by the Government of the Democratic Republic of the Congo, during the same meeting, to respect this provision;

4. *Expresses its support* for the Inter-Congolese Dialogue, one of the key elements of the peace process, and for all efforts to promote this process, calls upon the Congolese parties to work together for the success of the Dialogue, and expresses its support for the Facilitator of the Inter-Congolese Dialogue and his call upon the parties to make the Dialogue fully inclusive;

5. *Expresses its grave concern* at the repeated human rights violations throughout the Democratic Republic of the Congo, in particular in the territories under the control of the rebel groups party to the Ceasefire Agreement, and calls upon all parties to put an end to such violations;

6. *Expresses its serious concern* with regard to the humanitarian situation in the Democratic Republic of the Congo, and calls upon the international community to increase, without delay, its support for humanitarian activities;

7. *Expresses its serious concern also* with regard to the economic difficulties facing the Government of the Democratic Republic of the Congo, stresses that progress in the peace process and the economic recovery and development of the country are interdependent, and in this regard underlines the urgent need for increased international economic assistance in support of the peace process;

8. *Reiterates its condemnation* of all illegal exploitation of the natural resources of the Democratic Republic of the Congo, demands that such exploitation cease, and stresses that the natural resources of the Democratic Republic of the Congo should not be exploited to finance the conflict in that country;

9. *Emphasizes* that there are links between the peace processes in Burundi and in the Democratic Republic of the Congo and, welcoming the recent progress in the Burundi process, invites the parties to the Ceasefire Agreement to work with the Burundian authorities to advance these two processes;

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[216] See S/PV.4412.

10. *Supports* the launching of phase III of the deployment of the Mission on the basis of the concept of operations detailed in paragraphs 59 to 87 of the report of the Secretary-General,[215] and stresses in this regard the importance it attaches to the deployment of the Mission in the east of the Democratic Republic of the Congo, in conformity with the new concept of operations and within the overall ceiling, including in the cities of Kindu and Kisangani;

11. *Notes with concern* the joint communiqué issued on 4 November 2001 by the Secretaries-General of the Mouvement de libération du Congo and of the Rassemblement Congolais pour la Démocratie concerning the deployment of a joint special force in Kindu, and stresses that appropriate conditions will be necessary to allow the Mission to fulfil its role in Kindu and to ensure that discussions on the voluntary disarmament and demobilization of concerned armed groups take place in a neutral environment;

12. *Affirms* that the implementation of phase III of the deployment of the Mission requires the following steps by the parties, and requests the Secretary-General to report on progress thereon:

(i) The transmission to the Mission, as soon as possible and in accordance with its resolution 1355 (2001) of 15 June 2001, of the necessary operational information for the planning of Mission support for the process of total withdrawal of foreign troops present in the territory of the Democratic Republic of the Congo, including the number of foreign military personnel in the territory, their equipment and armament, their exit routes and a precise timetable for implementation;

(ii) The transmission to the Mission, as soon as possible and in accordance with resolution 1355 (2001), of the necessary operational information for the planning of the mandated role of the Mission in the process of disarmament, demobilization, repatriation, resettlement and reintegration for the armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement, including the number of persons concerned, their equipment and armament, their location and their intentions, as well as a precise timetable for implementation;

(iii) The establishment of a direct dialogue between the governments of the Democratic Republic of the Congo and Rwanda leading to confidence building and a joint mechanism for coordination, and exchanges of information regarding the disarmament, demobilization, repatriation, resettlement and reintegration process;

(iv) The establishment by the Governments of the countries concerned, in particular Rwanda, and noting steps taken so far, of conditions conducive to voluntary disarmament, demobilization, repatriation, resettlement and reintegration of the members of the armed groups concerned, in particular by assuring the protection of the personal safety of the members of those armed groups, their civil rights and their economic reintegration, including with the assistance of the donor community;

(v) The demilitarization of Kisangani;

(vi) The full restoration of freedom of movement for persons and goods between Kinshasa and Kisangani and throughout the country;

(vii) The full cooperation by the parties with military and logistical operations of the Mission, as well as its humanitarian, human rights and child protection activities, including by permitting unrestricted access to ports and airports and by refraining from introducing administrative and other impediments;

13. *Expresses its satisfaction* at the partnership established with the parties to the Ceasefire Agreement, strengthened by regular contacts between the Political Committee for the Implementation of the Lusaka Ceasefire Agreement and the Security Council, and reiterates its firm determination to continue to provide assistance to the parties in their efforts to achieve peace;

14. *Commends* the outstanding work of Mission personnel in challenging conditions, and pays tribute in particular to the efforts of the Special Representative of the Secretary-General;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4412th meeting

Decisions

At its 4437th meeting, on 14 December 2001, the Security Council decided to invite the representatives of Angola, Belgium, Burundi, Canada, the Democratic Republic of the Congo, Japan, Namibia, Nigeria, Rwanda, South Africa, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Letter dated 10 November 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/1072)".

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mahmoud Kassem, Chairman of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo.

At its 4441st meeting, on 19 December 2001, the Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Letter dated 10 November 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/1072)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[217]

> "The Security Council notes with concern that the plundering of the natural resources and other forms of wealth of the Democratic Republic of the Congo continues unabated. The Council strongly condemns these activities, which are perpetuating the conflict in the country, impeding the economic development of the Democratic Republic of the Congo and exacerbating the suffering of its people, and reaffirms the territorial integrity, political independence and sovereignty of the Democratic Republic of the Congo, including over its natural resources.
>
> "The Council stresses that:
>
> – No external parties or groups or individuals under their control should benefit from the exploitation of the natural resources of the Democratic Republic of the Congo at the expense of that country;
>
> – The natural resources of the Democratic Republic of the Congo should not serve as an incentive for any State, group or individual to prolong the conflict;
>
> – External parties, and groups or individuals under their control, must not use the natural resources of the Democratic Republic of the Congo to finance the conflict in the country;
>
> – The resources should be exploited legally and on a fair commercial basis to benefit the country and people of the Democratic Republic of the Congo.
>
> "The Council thanks the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo for its recommendations on the institutional, financial and technical aspects of the issue, and for its advice on possible measures to be imposed by the Council. It reaffirms its support for the

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[217] S/PRST/2001/39.

Lusaka Ceasefire Agreement signed on 10 July 1999[188] and reiterates its commitment to take any appropriate action to help tout an end to the plundering of the resources of the Democratic Republic of the Congo, in support of the peace process, once it has been established that such actions will have no serious and unmanageable negative impact on the disastrous humanitarian and economic situation of the country.

"The Council stresses the importance of continuing the monitoring of the situation regarding the illegal exploitation of the natural resources of the Democratic Republic of the Congo and the link between the exploitation of the natural resources and the continuation of the conflict, in order to keep the necessary pressure to put an end to the illegal exploitation of the resources, including the exploitation of human resources, at the expense of the Congolese people and of the peace process.

"Therefore, the Council, having heard the views expressed at its open debate on 14 December 2001,[218] requests the Secretary-General to renew the mandate of the Expert Panel for a period of six months at the end of which the Panel should report to the Council. The Panel should submit an interim report after three months.

"The next reports of the Expert Panel should include the following elements:

- An update of relevant data and an analysis of further information from all relevant countries, including in particular from those which thus far have not provided the Panel with the requested information;
- An evaluation of the possible actions that could be taken by the Council, including those recommended by the Panel in its report[201] and in the addendum thereto,[219] in order to help to bring to an end the plundering of the natural resources of the Democratic Republic of the Congo, taking into account the impact of such actions on the financing of the conflict and their potential impact on the humanitarian and economic situation of the Democratic Republic of the Congo;
- Recommendations on specific actions that the international community might take, in support of the Government of the Democratic Republic of the Congo, working through existing international organizations, mechanisms and United Nations bodies, to address the issues in the report and the addendum thereto;
- Recommendations on possible steps that may be taken by transit countries as well as end users to contribute to ending illegal exploitation of the natural resources and other forms of wealth of the Democratic Republic of the Congo.

"The Council stresses the importance of the Expert Panel maintaining a high level of collaboration with all the Congolese players, governmental as well as non-governmental, throughout the national territory.

"The Council once again urges the Governments named in the previous reports of the Expert Panel to conduct their own inquiries, cooperate fully with the Panel and take, on an urgent basis, the necessary steps to end all illegal exploitation of the natural resources of the Democratic Republic of the Congo by their nationals or others under their control, and inform the Council accordingly. The Council also calls upon those countries that have not yet provided the Panel with the requested information to do so as a matter of urgency."

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[218] See S/PV.4437.

[219] S/2001/1072.

At its 4459th meeting, held in private on 29 January 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4459th meeting, held in private on 29 January 2002, the Security Council considered the item entitled 'The situation concerning the Democratic Republic of the Congo'.
>
> "In accordance with the understanding reached in the Council's prior consultations, and with the consent of the Council, the President extended an invitation to Mr. Léonard She Okitundu, Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council and the Minister of State for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo had a constructive discussion."

At its 4476th meeting, on 25 February 2002, the Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Tenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2002/169)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[220]

> "The Security Council welcomes the tenth report of the Secretary-General of 15 February 2002 on the United Nations Organization Mission in the Democratic Republic of the Congo[221] and expresses its intention to consider the recommendations therein. The Council calls upon all the parties to the conflict to display their political will in order to achieve a peaceful settlement and reconciliation. The Council urges all parties to the Lusaka Ceasefire Agreement signed on 10 July 1999[188] to fulfil all their commitments under the Agreement and under the relevant resolutions of the Council.
>
> "The Council stresses the importance of the Inter-Congolese Dialogue, which is an essential element for the achievement of lasting peace. It reiterates its strong support for the Facilitator of the Inter-Congolese Dialogue and his team. It calls upon all Congolese parties to participate in this process, and to do so in a constructive spirit.
>
> "The Council reiterates its call for the withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo. It also stresses that the disarmament, demobilization, repatriation, resettlement and reintegration process of the armed groups mentioned in chapter 9.1 of annex A to the Ceasefire Agreement is another key element for the settlement of the conflict in the Democratic Republic of the Congo, and in this regard:
>
> – Reiterates its support for the Mission, which is deploying in the east of the country in order to facilitate this process;
>
> – Calls upon the Government of the Democratic Republic of the Congo to fulfil its commitments regarding the repatriation of the ex-combatants in Kamina;
>
> – Taking note of the request expressed by the President of the Democratic Republic of the Congo to the Council, requests the Mission to make a first assessment of the number of members of the Rwandan armed groups (ex-Rwandese Armed Forces and Interahamwe) in the territory of the Democratic Republic of the Congo,

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[220] S/PRST/2002/5.

[221] S/2002/169.

and to report to the Council by the end of March. Based on this assessment, the Council will examine whether any further support should be given to the Mission in the execution of this task;

- Recalls that all the parties have a major responsibility to contribute to the disarmament, demobilization, repatriation, resettlement and reintegration process and that the Joint Military Commission has a role in this respect, in cooperation with the Mission.

"The Council takes note of the reinforcement of the Mission presence in Kisangani and reiterates its demand that the city be demilitarized, in accordance with its relevant resolutions. In this regard, it also stresses the importance of the full reopening of the Congo River, including to commercial traffic, and calls upon all parties to cooperate in this regard.

"The Council expresses its concern at the persistent human rights violations, in particular in the east of the country, and calls upon all parties to put an end to these violations."

At its 4495th meeting, on 19 March 2002, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Letter dated 18 March 2002 from the Democratic Republic of the Congo addressed to the President of the Security Council (S/2002/286)".

Resolution 1399 (2002)
of 19 March 2002

The Security Council,

Recalling its previous resolutions and the statements by its President,

Recalling also the Lusaka Ceasefire Agreement signed on 10 July 1999,[188] and stressing that the ceasefire among the parties to this agreement had been respected since January 2001,

Recalling further that the Inter-Congolese Dialogue is an essential element of the peace process for the Democratic Republic of the Congo,

Determining that the situation in the Democratic Republic of the Congo poses a threat to international peace and security in the region,

1. *Condemns* the resumption of fighting in the Moliro pocket and the capture of Moliro by the Rassemblement Congolais pour la Démocratie-Goma, and stresses that this is a major violation of the ceasefire;

2. *Stresses* that no party to the Lusaka Ceasefire Agreement[188] should be allowed to make military gains while a peace process is under way and while a peacekeeping operation is deployed;

3. *Demands* that the Rassemblement Congolais pour la Démocratie-Goma troops withdraw immediately and without condition from Moliro, and also demands that all parties withdraw to the defensive positions called for in the Harare disengagement sub-plans;

4. *Demands also* that the Rassemblement Congolais pour la Démocratie-Goma withdraw from Pweto, which it occupies in contravention of the Kampala plan and the Harare disengagement sub-plan, so as to permit the demilitarization of this location, and that all other parties also withdraw from locations they occupy in contravention of the Kampala plan and the Harare disengagement sub-plan;

5. *Recalls* that Kisangani also has to be demilitarized;

6. *Reminds* the Rassemblement Congolais pour la Démocratie-Goma and all other parties that they must comply with their obligations with regard to the Ceasefire Agreement, the disengagement plans and relevant resolutions of the Security Council;

7. *Calls upon* Rwanda to exert its influence on the Rassemblement Congolais pour la Démocratie-Goma so that the Rassemblement Congolais pour la Démocratie-Goma will implement the demands of the present resolution;

8. *Welcomes* the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo in Moliro and in Pweto, and calls upon all the parties to provide full cooperation to the Mission and to ensure the safety and security of Mission personnel on the ground;

9. *Calls upon* the parties to the Ceasefire Agreement to refrain from any military action or other provocation especially while the Inter-Congolese Dialogue is taking place;

10. *Stresses* the importance of continuing the Inter-Congolese Dialogue and calls upon the Government of the Democratic Republic of the Congo to resume immediately its participation in the Dialogue;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4495th meeting.

Decisions

At its 4544th meeting, on 24 May 2002, the Security Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[222]

> "The Security Council strongly condemns the killings, in particular of civilians, that recently took place in Kisangani. The Council calls for an immediate cessation of all violations of human rights and international humanitarian law. It reiterates its demand that the city be demilitarized in accordance with relevant resolutions, in particular resolution 1304 (2000) of 16 June 2000, and with the pledge made by the Rassemblement Congolais pour la Démocratie-Goma to the last Security Council mission. The Council also calls upon the parties to cooperate in the full reopening of the Congo River, including to commercial traffic.
>
> "The Council invites the Secretary-General to consider whether a temporary increase in the deployment in Kisangani of the United Nations Organization Mission in the Democratic Republic of the Congo, within the current authorized troop level, may contribute to easing tensions. The Council requests the Mission to continue to monitor reports of extrajudicial violence and report to the Council.
>
> "The Council draws the attention of the United Nations High Commissioner for Human Rights to the seriousness of the events that took place in Kisangani on 14 May 2002 and immediately thereafter.
>
> "The Council stresses the importance of the Mission assisting, within the current mandate, in the full demilitarization of Kisangani. In this respect, the Council welcomes the proposal by the Secretary-General in paragraph 50 of his tenth report, of 15 February 2002,[221] in accordance with resolutions 1355 (2001) of 15 June 2001 and 1376 (2001) of 9 November 2001, to reinforce the civilian police unit of the Mission with eighty-five officers to assist in the training of the local police.

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[222] S/PRST/2002/17.

> "The Council expresses its intention to consider expeditiously any further recommendation that the Secretary-General may deem necessary."

At its 4548th meeting, on 5 June 2002, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[223]

> "The Security Council condemns in the strongest terms the acts of intimidation and unfounded public statements against the United Nations Organization Mission in the Democratic Republic of the Congo, in particular attempts by the Rassemblement Congolais pour la Démocratie-Goma to "ban" the Special Representative of the Secretary-General and the "expulsion" of several personnel of the Mission and other United Nations personnel from areas under its control. It reaffirms its full support for the Special Representative and for the dedicated staff of the Mission.
>
> "The Council stresses that these unjustifiable attacks are directly contrary to the process of peace and national reconciliation in the Democratic Republic of the Congo and to interests of the Rassemblement Congolais pour la Démocratie-Goma.
>
> "The Council reiterates its condemnation of the killings and attacks against civilians and soldiers that followed the events that took place on 14 May 2002 and thereafter in Kisangani and looks forward to receiving the joint report and recommendations of the Mission and the Office of the United Nations High Commissioner for Human Rights on the violence in Kisangani. The Council holds the Rassemblement Congolais pour la Démocratie-Goma, as de facto authority, responsible for bringing to an end all extrajudicial executions, human rights violations and arbitrary harassment of civilians in Kisangani and all other areas under the control of the Rassemblement Congolais pour la Démocratie-Goma.
>
> "The Council demands that the Rassemblement Congolais pour la Démocratie-Goma immediately:
>
> – Cease its harassment of United Nations officials and assist with the deployment and operations of the Mission;
>
> – Cooperate fully with all investigations of violence in Kisangani and the surrounding areas;
>
> – Comply with all relevant resolutions of the Council, in particular by demilitarizing Kisangani.
>
> "The Council calls upon Rwanda to exert its influence to have the Rassemblement Congolais pour la Démocratie-Goma meet without delay all its obligations under the resolutions of the Council and this presidential statement.
>
> "The Council encourages the Government of the Democratic Republic of the Congo, the Mouvement pour la Libération du Congo and the Rassemblement Congolais pour la Démocratie-Goma to hold new discussions as soon as possible and in good faith, taking into account the progress in the Inter-Congolese Dialogue achieved in Sun City, South Africa, in order to reach an all-inclusive agreement on the political transition. In this respect, the Council supports the efforts of the newly appointed Special Envoy of the Secretary-General for the Inter-Congolese Dialogue, Mr. Mustapha Niasse."

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[223] S/PRST/2002/19

At its 4554th meeting, on 14 June 2002, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

> "The situation concerning the Democratic Republic of the Congo
>
> > "Eleventh report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2002/621)".

Resolution 1417 (2002)
of 14 June 2002

The Security Council,

Recalling its resolutions and the statements by its President regarding the Democratic Republic of the Congo, in particular resolution 1355 (2001) of 15 June 2001,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all other States in the region,

Reaffirming also the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State or in any other manner inconsistent with the purposes and principles of the United Nations,

Reaffirming further the sovereignty of the Democratic Republic of the Congo over its natural resources, and in this respect looking forward to receiving the report of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo and the link between the exploitation and the continuation of the conflict,

Recalling the responsibilities of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo,

Acknowledging the positive role of the Facilitator of the Inter-Congolese Dialogue and of the President of the Republic of South Africa in the conduct of the Inter-Congolese Dialogue in Sun City, South Africa,

Taking note of the idea of a curtain of troops, which was raised during the Security Council mission to the Great Lakes region, and encouraging the Secretary-General, if asked to do so by the parties, to instruct the Mission to facilitate the development of this idea, with a view to possible support for its implementation, including by sending observers,

Recognizing the importance of electoral support in achieving governmental transition in the Democratic Republic of the Congo, and expressing its intention, once an all-inclusive transitional Government is in place, to consider the role the international community, in particular the Mission, might play in support of the electoral process,

Underlining the fact that the main responsibility for resolving the conflict rests with the parties,

Taking note of the report of the Secretary-General of 5 June 2002 and the recommendations therein,[224]

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

1. *Decides* to extend the mandate of the United Nations Organization in the Democratic Republic of the Congo until 30 June 2003;

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[224] S/2002/621

2. *Calls upon* Member States to contribute personnel to enable the Mission to reach its authorized strength of 5,537, including observers, within the time frame outlined in its concept of operations;

3. *Takes note* of the recommendation of the Secretary-General for a troop ceiling increase, and expresses its intention to consider authorizing it as soon as further progress has been achieved and the steps referred to in paragraph 12 of resolution 1376 (2001) of 9 November 2001 have been taken;

4. *Condemns* ethnically and nationally based calls for violence and the killings and attacks against civilians and soldiers that followed the events that took place on 14 May 2002 and thereafter in Kisangani, looks forward to receiving the joint report and recommendations by Mission and the Office of the United Nations High Commissioner for Human Rights on the violence in Kisangani, and reiterates that it holds the Rassemblement Congolais pour la Démocratie-Goma, as the de facto authority, responsible for bringing to an end all extrajudicial executions, human rights violations and arbitrary harassment of civilians in Kisangani and all other areas under the control of the Rassemblement Congolais pour la Démocratie-Goma, and that it demands the demilitarization of Kisangani;

5. *Condemns also* the exploitation of ethnic differences in order to incite or carry out violence or human rights violations, deplores the humanitarian impact of such abuse, and in this regard expresses particular concern at the situation in the Ituri region and in South Kivu, in particular in the Hauts Plateaux, and calls upon the de facto authorities in the regions affected to ensure the protection of civilians and the rule of law;

6. *Reiterates its full support* for the Special Representative of the Secretary-General and for all the dedicated Mission personnel who operate in challenging conditions, demands that the Rassemblement Congolais pour la Démocratie -Goma provide full access and lift all restrictions on Mission personnel and fully cooperate with the Mission in the implementation of its mandate, and urges Rwanda to exert its influence to have the Rassemblement Congolais pour la Démocratie-Goma meet without delay all its obligations;

7. *Recalls* paragraph 8 of resolution 1291 (2000) of 24 February 2000 and paragraph 19 of resolution 1341 (2001) of 22 February 2001, supports the steps outlined in paragraphs 25 and 71 of the report of the Secretary-General[224] and reaffirms the mandate of the Mission to take the necessary action in the areas of deployment of its armed units and as it deems it within its capabilities:

- To protect United Nations and co-located Joint Military Commission personnel, facilities, installations and equipment;
- To ensure the security and freedom of movement of its personnel;
- To protect civilians under imminent threat of physical violence;

8. *Requests* the Mission to proceed expeditiously in the deployment of the additional eighty-five police trainers to Kisangani, as endorsed in the statement by its President dated 24 May 2002,[222] once the Mission determines that the necessary security conditions are in place;

9. *Supports* the role of the Mission in disarmament, demobilization, repatriation, resettlement, and reintegration as authorized in relevant Security Council resolutions, welcomes its deployment to Kisangani and Kindu, encourages it to move quickly to respond to any signs of interest in voluntary demobilization, repatriation, resettlement, and reintegration by uncontrolled armed groups in the eastern parts of the Democratic Republic of the Congo, within its current means, and calls for the full cooperation of all parties on demobilization, repatriation, resettlement, and reintegration , including on the demobilization, repatriation, resettlement, and reintegration of the ex-combatants of Kamina, and for the provision of the necessary planning information referred to in paragraph 12 (ii) of resolution 1376 (2001);

10. *Welcomes* the commitments made by the President of the Democratic Republic of the Congo, during the Security Council mission to the Great Lakes, not to support the armed groups referred to in chapter 9.1 of annex A to the Lusaka Ceasefire Agreement signed on 10 July 1999[188] and regarding the cooperation with the International Criminal Tribunal for Rwanda[225] and in this regard urges the Government of the Democratic Republic of the Congo fully to implement these commitments and urgently to take all necessary steps to ensure that its territory is not used to support those armed groups;

11. *Stresses* that the reduction in the number of foreign forces in the territory of the Democratic Republic of the Congo is encouraging, demands the total and expeditious withdrawal of all foreign forces, in accordance with its previous resolutions, without which the conflict cannot be resolved, and in this regard reiterates that all parties must transmit to the Mission, in accordance with the Ceasefire Agreement and Council resolutions, in particular resolution 1376 (2001), the plans and timetables for the total withdrawal of their troops from the territory of the Democratic Republic of the Congo;

12. *Encourages* the parties, especially the Government of the Democratic Republic of the Congo and the Government of Rwanda, to address the fundamental security issues at the heart of the conflict and, in this context, to explore the scope for further confidence-building measures, such as the idea discussed during the Security Council mission to the Great Lakes region of a curtain of troops, as an interim measure aimed at ensuring border security in the final stages of withdrawal, and encourages the parties to follow up on their initial positive reaction and develop this idea;

13. *Reiterates its support* for the Inter-Congolese Dialogue and encourages the Government of the Democratic Republic of the Congo, the Mouvement pour la Libération du Congo and the Rassemblement Congolais pour la Démocratie-Goma to hold new discussions as soon as possible, in good faith and without precondition, taking into account the progress in the Inter-Congolese Dialogue achieved in Sun City, South Africa, in order to reach an all-inclusive agreement on the political transition, with the support of all the Congolese parties to the Inter-Congolese Dialogue;

14. *Stresses,* while reaffirming that the primary responsibility for the Dialogue lies with the Congolese themselves, the importance of a strong United Nations role in support of this process and in this respect supports the efforts of the newly appointed Special Envoy of the Secretary-General for the Inter-Congolese Dialogue, Mr. Mustapha Niasse;

15. *Requests* all parties and relevant States to extend their full cooperation to the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo and the link between the exploitation and the continuation of the conflict;

16. *Requests* the Secretary-General to report at least every four months to the Council on progress on the implementation of the present resolution;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4554th meeting.

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[225] International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January and 31 December 1994.

Decisions

On 12 July 2002, the President of the Security Council addressed the following letter to the Secretary-General:[226]

> "I have the honour to inform you that your letter dated 9 July 2002 concerning the extension of the mandate of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo[227] has been brought to the attention of the members of the Security Council. They take note of your recommendation that the mandate of the Panel should be extended until 31 October 2002 to enable it to finalize its work before the end of October 2002."

At its 4583rd meeting, on 23 July 2002, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[228]

> "The Security Council recalls the seriousness of the events that took place in Kisangani on 14 May 2002 and immediately thereafter, and expresses its appreciation for the report and recommendations submitted to the Council by the Office of the United Nations High Commissioner for Human Rights,[229] building on the investigation conducted in association with the United Nations Organization Mission in the Democratic Republic of the Congo into the events to which the Council had drawn the attention of the United Nations High Commissioner for Human Rights.[222] It reiterates its strong condemnation of the killings and attacks against civilians, soldiers and police officers that took place on 14 May 2002 and thereafter in Kisangani. The Council stresses that the Rassemblement Congolais pour la Démocratie-Goma is responsible for the massacres that took place after it regained control over the city's radio station on 14 May. The Council demands that the Rassemblement Congolais pour la Démocratie-Goma take the necessary measures to bring the perpetrators and those among them who ordered or were involved in the massacre to justice. The Council stresses that Rwanda has a duty to use its strong influence to ensure that the Rassemblement Congolais pour la Démocratie-Goma complies with this demand.
>
> "The Council stresses that the Rassemblement Congolais pour la Démocratie-Goma will be held accountable for any extrajudicial executions, including among members of civil society or detainees at the detention centres of the Rassemblement Congolais pour la Démocratie-Goma in Kisangani. It also stresses that Rwanda has a duty to use its strong influence to ensure that the Rassemblement Congolais pour la Démocratie-Goma takes no such action. It requests the Mission to continue its investigations in cooperation with the Office of the High Commissioner in order to gather further information concerning the massacres in Kisangani and to make recommendations on concrete measures to be taken to effectively end impunity. It recalls the mandate of the Mission to extend its protection, in accordance with its resolution 1417 (2002) of 14 June 2002, to civilians under imminent threat of physical violence, in the areas of deployment of its armed units and as it deems it within its capabilities.
>
> "The Council reiterates that the Rassemblement Congolais pour la Démocratie-Goma must demilitarize Kisangani without any further delay or condition and stresses this would prevent any future recurrence of these recent tragic events. The Rassemblement Congolais pour la Démocratie-Goma must also cooperate with the Mission and the Office of the High

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[226] S/2002/763.

[227] S/2002/762.

[228] S/PRST/2002/22.

[229] S/2002/764.

Commissioner in their investigations to identify all the victims and perpetrators in Kisangani so that the latter will be brought to justice, and also to ensure an end to all violations of human rights and to impunity in all areas under its control.

"The Council expresses its serious concern at the absence of accountability throughout the Democratic Republic of the Congo noted in the report of the Office of the High Commissioner, and calls upon all parties to take immediate steps to ensure an end to impunity and full respect for human rights.

"The Council also expresses its deep concern at the strengthening of troops in eastern Democratic Republic of the Congo. It expresses particular concern at the situation in South Kivu, in particular in the Hauts Plateaux and around Minembwe, where fighting has increased between the Rwandan Patriotic Army and Banyamulenge, supported by other armed forces. It calls for the cessation of this fighting, which is having a severe humanitarian impact on the population in the area. It calls upon the Government of Rwanda to cooperate with the teams from the Mission and the Office for the Coordination of Humanitarian Affairs of the Secretariat which are to be sent to the area as soon as possible to establish the facts, including by providing the necessary security guarantees.

"The Council also expresses its concern at the rising tensions in the Ituri region and calls upon all parties to exert restraint. It also expresses concern at the military actions in Pweto. It requests the Political Committee for the Implementation of the Lusaka Ceasefire Agreement to address expeditiously the issue of Pweto, in accordance with the Kampala plan and the Harare sub-plans for disengagement and redeployment and with the decisions taken by the Joint Military Commission, and in accordance with its resolution 1399 (2002) of 19 March 2002.

"The Council welcomes the efforts and good offices of the Republic of South Africa, in its capacity as chair of the African Union, and of the Secretary-General, to help the Democratic Republic of the Congo and Rwanda to reach an agreement to tackle the problem of the armed groups and to take forward the withdrawal of Rwandan troops, in the context of the full withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo, in accordance with the Lusaka Ceasefire Agreement signed on 10 July 1999[100] and relevant Council resolutions. In this regard, it encourages the leaders of the two countries to continue working out ways to address their fundamental security concerns, and welcomes the discussions between representatives of the Democratic Republic of the Congo and Rwanda on the idea of a curtain of troops as a mechanism for countries of the region to cooperate to ensure the security of their common borders. The Council requests the Mission and the Joint Military Commission to assist the parties in the development of the curtain mechanism.

"The Council reiterates the importance it attaches to an all-inclusive agreement on the political transition, taking into account the progress achieved in Sun City, South Africa, and in this regard expresses its full support for the efforts of the Special Envoy of the Secretary-General for the Inter-Congolese Dialogue and calls upon all actors in the Democratic Republic of the Congo and in the region to cooperate fully with him. The Council welcomes the support of the African Union, in particular through the Special Representative of the Interim Chairman of its Commission, for this process.

"The Council reaffirms the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all other States in the region.

"The Council reiterates its full support for the Special Representative of the Secretary-General for the Democratic Republic of the Congo and for all Mission personnel, and demands that the Rassemblement Congolais pour la Démocratie-Goma fully cooperate with the Special Representative and the Mission in the implementation of their mandate.

"The Council, noting the encouraging political developments both in terms of contacts among the Congolese parties and among regional States, calls upon all the parties to recommit themselves to advancing these political processes and to refrain from any military action that would undermine the progress for peace."

PEACE-BUILDING: TOWARDS A COMPREHENSIVE APPROACH

Decisions

At its 4272nd meeting, on 5 February 2001, the Security Council decided to invite the representatives of Algeria, Argentina, Croatia, Egypt, Guatemala, India, the Islamic Republic of Iran, Japan, Malaysia, Mongolia, Nepal, New Zealand, Nigeria, the Republic of Korea, Romania, Senegal and Sweden to participate, without vote, in the discussion of the item entitled:

"Peace-building: towards a comprehensive approach

"Letter dated 25 January 2001 from the Permanent Representative of Tunisia to the United Nations addressed to the Secretary-General (S/2001/82)".

At its 4278th meeting, on 20 February 2001, the Council considered the item discussed at the 4272nd meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[230]

"The Security Council recalls the open debate held at its 4272nd meeting on 5 February 2001, on 'Peace-building: towards a comprehensive approach'. The Council recalls also the statements by its President in relation to activities of the United Nations in preventive diplomacy, peacemaking, peacekeeping and post-conflict peace-building. The Council welcomes the convening by the Secretary-General on 6 and 7 February 2001 of the Fourth High-level United Nations-Regional Organizations Meeting and notes with interest its results, in particular the 'Framework for cooperation in peace-building' as conveyed by the Secretary-General to the President of the Council in his letter dated 12 February 2001.[231]

"The Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. The Council emphasizes the need for full respect for the purposes and principles of the Charter and the relevant provisions of international law, in particular those related to the prevention of armed conflicts and the settlement of disputes by peaceful means.

"The Council reaffirms that the quest for peace requires a comprehensive, concerted and determined approach that addresses the root causes of conflicts, including their economic and social dimensions.

"The Council recognizes that peacemaking, peacekeeping and peace-building are often closely interrelated. The Council stresses that this interrelationship requires a comprehensive approach in order to preserve the results achieved and to prevent the recurrence of conflicts. To this effect, the Council reiterates the value of including, as appropriate, peace-building elements in the mandates of peacekeeping operations.

"The Council recognizes that peace-building is aimed at preventing the outbreak, the recurrence or the continuation of armed conflict and therefore encompasses a wide range of political, developmental, humanitarian and human rights programmes and mechanisms. This requires short- and long-term actions tailored to address the particular needs of societies sliding into conflict or emerging from it. These actions should focus on fostering sustainable institutions and processes in areas such as sustainable development, the eradication of poverty and inequalities, transparent and accountable governance, the promotion of democracy, respect for human rights and the rule of law and the promotion of a culture of peace and non-violence.

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[230] S/PRST/2001/5.

[231] S/2001/138.

"The Council reaffirms that a comprehensive and integrated strategy in peace-building must involve all relevant actors in this field, while taking into account the unique circumstances of each conflict situation. The Council emphasizes that a well-planned and coordinated peace-building strategy can play a significant role in conflict prevention. In this connection, the Council underlines that international efforts in peace-building must complement, and not supplant, the essential role of the country concerned.

"The Council notes that the experiences of the United Nations and regional organizations and other actors in peace-building point to the need for enhancing peace-building activities by formulating a strategy based on the interdependence between sustainable peace, security, and development in all its dimensions.

"The Council stresses that, to be successful, such a peace-building strategy should meet, inter alia, the following basic criteria: relevance, coherence and consistency of programmes and actions; consent and cooperation of the authorities of the State concerned, where they exist; continuity in and conclusion of the process; cooperation and coordination among organizations and other actors involved and cost-effectiveness of the overall peace-building operation.

"The Council strongly encourages the United Nations system and regional and subregional organizations, donor countries and the international financial institutions to consider undertaking initiatives such as: utilizing the mechanism of consolidated appeals, holding joint pledging conferences to mobilize expeditiously international political support and essential resource requirements; ensuring prompt financing of quick start-up peace-building projects; and strengthening mechanisms that promote development and self-reliance by improving capacity-building activities.

"The Council underlines the fact that successful peace-building is predicated on an effective and unambiguous division of labour, based on the comparative advantage of different implementing bodies, among all the international partners, including the United Nations system, the international financial institutions, regional and subregional organizations, non-governmental organizations and the wider international community. In this regard, the Council strongly encourages all those actors to enhance their cooperation in areas such as the early identification of situations where peace-building is required; the definition of objectives and priority areas of peace-building; the development of an integrated operational response through mutual consultation; the joint monitoring of peace-building activities; and the establishment of repertories of best practices and lessons learned in the area of peace-building.

"The Council stresses the importance of mainstreaming a gender perspective into peace agreements and peace-building strategies, and of involving women in all peace-building measures.

"The Council encourages the United Nations and regional and subregional organizations to establish consultative processes to ensure that peace settlements and agreements mediated by those organizations include commitments by parties to the conflict to undertake concerted action in different areas of peace-building, and stresses the need to identify such areas at early stages of the negotiation of peace agreements.

"The Council recognizes that the repatriation and resettlement of refugees and internally displaced persons, as well as the disarmament, demobilization and reintegration of ex-combatants, should not be seen in isolation but must be carried out in the context of a broader search for peace, stability and development, with special emphasis on revival of economic activities and renovation of the social fabric.

"The Council considers it essential to provide speedy operational solutions to the exceptional and urgent needs of countries emerging from, or on the verge of, conflict, through innovative and flexible means, including quick-impact programmes which translate into concrete and visible improvements in the daily lives of their local populations.

"To enhance further the effectiveness of the United Nations in addressing conflicts at all stages, from prevention to settlement to post-conflict peace-building, the Council reiterates its willingness to consider ways to improve its cooperation with other United Nations bodies and organs directly concerned by peace-building, in particular the General Assembly and the Economic and Social Council, which have a primary role in this field.

"The Council recalls the essential role of the Secretary-General in peace-building, in particular in the establishment of strategies in this field and their in implementation, and recognizes the need to strengthen the coordination and analysis capacity of the Secretariat in order to allow the Secretary-General to fulfil his responsibilities in this area.

"The Council recognizes the need for the early involvement on the ground of peace-building actors and the orderly assumption of their responsibilities. To this effect and in order to avoid any gap between peacekeeping and peace-building, the Council expresses its determination, where appropriate, to consult at various stages of any peacekeeping operation that includes peace-building elements, in particular when the operation is being established, with the State concerned and with relevant actors that are primarily responsible for coordinating and implementing aspects of peace-building activities, such as the General Assembly, the Economic and Social Council, the United Nations funds and programmes, the international financial institutions, regional organizations and major donor countries.

"The Council recognizes that troop-contributing countries may be involved in peace-building activities and that, within the existing system of consultations with those countries, relevant peace-building activities should be discussed.

"The Council encourages close cooperation between the authorities of the State concerned and the international community in elaborating programmes of peace-building activities, where the commitment by the parties could be formalized in written communications.

"The Council underlines the importance of the presence of special representatives of the Secretary-General or other suitable United Nations coordination arrangements, such as the resident coordinator system, in coordinating the elaboration and implementation of peace-building programmes by international organizations and donor countries in close cooperation with local authorities, taking into account ongoing activities. The Council stresses that any United Nations peace-building presence should have the necessary personnel and financial resources to discharge its mandate.

"The Council stresses the importance of its being kept regularly informed of the progress achieved, as well as of the difficulties encountered, in peace-building in countries where a peacekeeping operation had been mandated by the Security Council.

"The Council reiterates that efforts to ensure lasting solutions to conflicts and to maintain the momentum for peace in any given country or region require increased solidarity, sustained political will and timely and adequate resources on the part of the international community.

"The Council recalls the decision by the Secretary-General to instruct the Executive Committee on Peace and Security to formulate a plan on the strengthening of capacity of the to develop peace-building strategies and to implement programmes in support of them, and looks forward to the submission by him of recommendations to the Security Council and the General Assembly on the basis of this plan.

"The Council will remain seized of the matter."

THE SITUATION IN THE GREAT LAKES REGION

[Resolutions or decisions on this question were also adopted by the Security Council in 1996, 1997, 1999 and 2000.]

Decisions

At its 4273rd meeting, on 7 February 2001, the Security Council decided to invite Mr. Paul Kagame, President of the Rwandese Republic, to take a seat at the Council table in the discussion of the item entitled:

"The situation in the Great Lakes region

"Briefing by Mr. Paul Kagame, President of the Rwandese Republic".

On 25 April 2001, the President of the Security Council addressed the following letter to the Secretary-General:[232]

"I have the honour to inform you that, following consultations, the members of the Security Council have agreed to dispatch a mission to the Great Lakes region in the second half of May 2001. The members have agreed on the terms of reference of the mission, a copy of which is attached hereto. Consultations on the precise dates and the composition of the mission are continuing.

"I should be grateful if you would have the Secretariat make all the necessary arrangements to facilitate the work of the mission.

"Annex

"Terms of reference for the Security Council mission to the Great Lakes region

"The situation in the Democratic Republic of the Congo

"1. The meetings of the Security Council to which it invited the members of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement, in February 2001,[233] led to the adoption of Security Council resolution 1341 (2001) of 22 February 2001, which sets out a roadmap to implement the Ceasefire Agreement signed at Lusaka on 10 July 1999[234] and the relevant Council resolutions.

"2. In accordance with paragraph 27 of resolution 1341 (2001), the Security Council mission will monitor progress made by the parties in implementing the provisions of that resolution, especially:

"(*a*) Respect for the ceasefire and cooperation with the United Nations Organization Mission in the Democratic Republic of the Congo;

"(*b*) Disengagement of forces to the positions agreed upon by the parties to the conflict.

"3. The mission will encourage the parties to commit themselves to the next steps of the peace process, in keeping with the impetus created by resolution 1341 (2001), in which the Council urged the parties to the Ceasefire Agreement to prepare by 15 May 2001:

"(*a*) A precise plan and schedule which, in accordance with the Ceasefire Agreement, would lead to the completion of the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo;

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[232] S/2001/408.

[233] S/PV.4279 and S/PV.4282.

[234] S/1999/815, annex.

"(*b*) Prioritized plans for the disarmament, demobilization, reintegration, repatriation or resettlement of the armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement.

The mission will discuss with the parties, including during a meeting with the Political Committee, concrete ways to advance the peace process on the two above-mentioned issues and, accordingly, the next steps for the United Nations Organization Mission in the Democratic Republic of the Congo, in advance of the 15 June 2001 deadline for the renewal of its mandate.

"4. The mission will also support the implementation of the Inter-Congolese Dialogue, one of the core elements of the Ceasefire Agreement, without prejudice to the mandate and the competence of the Facilitator, Sir Ketumile Masire, and of the Organization of African Unity. It will meet with the Facilitator, preferably at an early stage of the mission.

"5. The mission will bear in mind the responsibilities of the Council in two areas:

"(*a*) The co-location of the United Nations Organization Mission in the Democratic Republic of the Congo and the Joint Military Commission in Kinshasa, to facilitate the implementation of the peace process;

"(*b*) The link between the exploitation of the natural resources of the Democratic Republic of the Congo and the continuation of the conflict, in the light of the conclusions that the Council will have drawn from the report of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo.[235]

It will also take every opportunity to express the Council's concern over the humanitarian and human rights situation and reports of violations of international humanitarian law in the territory of the Democratic Republic of the Congo.

"The situation in Burundi

"6. In agreement with the Facilitator of the Burundi peace process, Mr. Nelson Mandela, the mission will meet with the parties to the Arusha Peace Agreement. It will support the peace process and the action of the Facilitator. It will encourage all the Burundian parties to reach a cessation of hostilities and will call for the full implementation of the Arusha Agreement.

"7. The mission will consider the linkage between the conflicts in Burundi and in the Democratic Republic of the Congo and will encourage the Burundian and Congolese authorities to continue their dialogue."

At its 4323rd meeting, on 30 May 2001, the Council decided to invite the representatives of Burundi, the Democratic Republic of the Congo, Namibia, Rwanda, South Africa and Uganda to participate, without vote, in the discussion of the item entitled:

"The situation in the Great Lakes region

> "Report of the Security Council mission to the Great Lakes region, 15–26 May 2001 (S/2001/521)".

On 21 November 2001, the President of the Security Council addressed the following letter to the Secretary-General:[236]

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[235] S/2001/357.

[236] S/2001/1096.

"I have the honour to inform you that your letter dated 16 November 2001 concerning your intention to extend the appointment of Mr. Berhanu Dinka as your Special Representative for the Great Lakes Region until 31 December 2002[237] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 17 April 2002, the President of the Security Council addressed the following letter to the Secretary-General:[238]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to the Great Lakes region from 27 April to 7 May 2002.

"The members of the Council have agreed upon the terms of reference of the mission (see annex).

"Following consultations with the members, it has been agreed that the composition of the mission is as follows:

"France (Ambassador Jean-David Levitte, head of mission);

"Bulgaria (Ambassador Stefan Tafrov);

"Cameroon (Ambassador Martin Chungong Ayafor);

"China (Mr. Chen Xu, Minister Counsellor);

"Colombia (Ambassador Alfonso Valdivieso);

"Guinea, (Ambassador François Fall);

"Ireland (Ambassador Gerard Corr);

"Mauritius (Ambassador Jagdish Koonjul);

"Mexico (Ambassador Adolfo Aguilar Zinser);

"Norway (Ambassador Wegger Christian Strømmen);

"Russian Federation (Ambassador Andrey Granovsky);

"Singapore (Mr. Lip Cheng How, Counsellor);

"Syrian Arab Republic (Ambassador Mikhail Wehbe);

"United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock);

"United States of America (Ambassador Richard W. Williamson);

"I should be grateful if you would have the Secretariat make all the necessary arrangements to facilitate the work of the mission.

"Annex

"Terms of reference for the Security Council mission to the Great Lakes region

"The situation in the Democratic Republic of the Congo

"1. The mission is in keeping with the partnership between the Security Council and the parties to the Ceasefire Agreement signed at Lusaka on 10 July 1999[234] and with the regular contacts established between the parties and the Council. Its aim is to give new impetus to the peace process, to support the efforts of the United Nations Organization Mission in the Democratic Republic of the Congo and to encourage the parties, including by meeting with the Political Committee for the Implementation of the Lusaka Ceasefire Agreement, to implement fully their commitments and to fulfil their obligations on the basis of that Agreement and the resolutions of the Council. The mission will call upon all parties to accelerate their efforts to remove any obstacle to the peace process through a viable political solution.

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[237] S/2001/1095.

[238] S/2002/430.

"2. At the time that the United Nations Organization Mission in the Democratic Republic of the Congo is deploying in the east of the Democratic Republic of the Congo to facilitate the voluntary disarmament, demobilization, reintegration, repatriation and resettlement of the armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement, the mission will urge all parties to take the necessary measures to start that process and to carry it to completion.

"3. The mission will discuss with the parties the means of speeding up and facilitating the withdrawal of foreign troops, in accordance with the provisions of the Ceasefire Agreement and the resolutions of the Council.

"4. In the light of the meeting of the Inter-Congolese Dialogue held in Sun City, South Africa, from 26 February to 19 April 2002, the mission will encourage the Congolese parties to work together, in a consensual spirit, for the success of this dialogue.

"5. The mission will remind the parties of their obligations, in particular:

- The strict respect of the ceasefire and of the disengagement plans of Kampala and Harare, as well as of the relevant resolutions of the Council and decisions of the Political Committee;
- The demilitarization of Kisangani, as demanded by the Council in resolution 1304 (2000) of 16 June 2000.

"6. The mission will take every opportunity to express with its interlocutors its concerns over:

- The human rights situation in the territory of the Democratic Republic of the Congo;
- The humanitarian situation in the Democratic Republic of the Congo and the question of access to help to those who need it;
- The economic situation in the Democratic Republic of the Congo;
- The illegal exploitation of the natural resources of the Democratic Republic of the Congo and its link with the conflict.

"7. The mission will address with the parties the means to enable the resumption of commercial traffic on the river, which would have a major impact on the improvement of the humanitarian and economic situation of the country.

"8. The mission will discuss with the parties any other means for the Council and for the international community to energize the peace process, for example through a regional conference on the Great Lakes region, while reminding the parties that, in fine, the success of the peace process rests upon them and that cooperation, dialogue and confidence among the parties are necessary to advance this process.

"The situation in Burundi

"9. The mission will provide its support to the peace process in Burundi. It will express the support of the Council to the transitional Government and institutions and discuss the implementation of the peace process.

"10. The mission will support the Facilitation of the Burundi Peace Process and, in close cooperation with it, will urge the rebel groups to cease hostilities immediately and to enter into negotiation to ensure the success of the peace process. The mission will also address this question with States neighbouring Burundi, in particular the Democratic Republic of the Congo and the United Republic of Tanzania, whose efforts in support of the peace process and the Facilitation are appreciated by the Council.

"11. The mission will address with its interlocutors the question of the human rights and the humanitarian situation in the territory of Burundi, including the issue of the refugees and the demobilization of child soldiers. It will also discuss with the transitional Government of Burundi the dire economic situation the country is facing and the risks this situation brings to the success of the peace process.

* * *

"12. The mission will share its findings and recommendations with relevant bodies, including the donor community and humanitarian agencies."

At its 4532nd meeting, on 14 May 2002, the Council decided to invite the representatives of Burundi, the Democratic Republic of the Congo, Rwanda, South Africa and Spain to participate, without vote, in the discussion of the item entitled:

"The situation in the Great Lakes region

> "Report of the Security Council mission to the Great Lakes region, 27 April–7 May 2002 (S/2002/537 and Add.1)".

On 16 July 2002, the President of the Security Council addressed the following letter to the Secretary-General:[239]

> "I have the honour to inform you that your letter dated 11 July 2002 concerning your intention to appoint Mr. Ibrahima Fall as your Special Representative for the Great Lakes Region[240] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION BETWEEN ERITREA AND ETHIOPIA

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998, 1999 and 2000.*]

Decisions

At its 4275th meeting, on 9 February 2001, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

> "Progress report of the Secretary-General on Ethiopia and Eritrea (S/2001/45)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[241]

> "The Security Council, recalling all resolutions and statements by its President regarding the situation in Eritrea and Ethiopia, notes with appreciation the progress report of

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[239] S/2002/773.

[240] S/2002/772.

[241] S/PRST/2001/4.

the Secretary-General of 12 January 2001[242] and the subsequent update pertaining to the matter.

"The Council reaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity of Eritrea and Ethiopia and also reaffirms its continued commitment to a peaceful definitive settlement of the conflict.

"The Council, reiterating its strong support for the Agreement on Cessation of Hostilities between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea, signed in Algiers on 18 June 2000,[243] strongly welcomes and supports the subsequent Peace Agreement between the parties signed in Algiers on 12 December 2000[244] ('Algiers Agreement'). It commends the efforts of the Organization of African Unity, the President of Algeria and his Special Envoy, as well as the United States of America and the European Union for their role in achieving the Algiers Agreement.

"The Council encourages both parties to continue working towards the full and prompt implementation of the Algiers Agreement. In this connection, it also welcomes the agreement reached by the parties on 6 February 2001 to move forward with the establishment of the temporary security zone on 12 February 2001.

"The Council expresses its strong support for the role of the Secretary-General in continuing to help to implement the Algiers Agreement, including through his own good offices, for the efforts of his Special Representative and for the contributions of relevant United Nations entities.

"The Council notes with satisfaction that the Algiers Agreement includes mechanisms for the delimitation and demarcation of the common border and for addressing claims and compensation, and that the parties are cooperating with the Secretary-General in these matters, in accordance with agreed schedules. It draws the urgent attention of Member States to the fact that funds provided to date for border delimitation and demarcation, through the United Nations Trust Fund established pursuant to resolution 1177 (1998) of 26 June 1998, remain clearly inadequate to meet the expenses of the Boundary Commission for the work entrusted to it under the Algiers Agreement. While expressing appreciation to those Member States that have already contributed financially, the Council calls upon Member States to consider providing further support to the peace process, including through contributions to the voluntary Trust Fund in order to assist the parties in the rapid delimitation and demarcation of the common border, in accordance with resolution 1312 (2000) of 31 July 2000 and in accordance with the Algiers Agreement.

"The Council notes with appreciation the expeditious deployment of the United Nations Mission in Ethiopia and Eritrea, allowing the parties to redeploy and rearrange their forces as scheduled. It expresses appreciation to the troop-contributing countries and to those Member States that have provided the Mission with additional assets.

"The Council urges the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate, including through the complete redeployment of troops consistent with the Algiers Agreement, the establishment of a direct air corridor between Addis Ababa and Asmara to ensure freedom of movement for Mission flights, and the conclusion of the necessary status-of-forces agreements, including identification of suitable accommodation sites for the Mission.

"The Council also urges the parties to facilitate mine action in coordination with the United Nations Mine Action Service, including through exchanging and providing existing maps and any other relevant information to the United Nations. It notes with concern that mines and unexploded ordnance remain the pre-eminent threat to the safety and security of Mission troops and of the population in and around the future temporary security zone. It calls upon the international community to support generously non-governmental organizations with resources, skills and expertise in demining so that, in coordination with the Mission and the United Nations country teams, they can assist both Governments in this undertaking.

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[242] S/2001/45.

[243] S/2000/601, annex.

[244] S/2000/1183, annex.

"The Council encourages both parties to continue to exercise restraint and to implement confidence-building measures, to continue the release and voluntary and orderly return, under the auspices of the International Committee of the Red Cross, of civilians that remain interned, to release remaining prisoners of war and facilitate their return, under the auspices of the International Committee of the Red Cross, and to fulfil their commitments under the Algiers Agreement to afford humane treatment to each other's nationals and persons of each other's national origin.

"The Council calls upon the parties to ensure the continued safe and unhindered access of humanitarian assistance to those in need, to guarantee the safety and security of all personnel of the Mission, the International Committee of the Red Cross and other humanitarian organizations and to respect strictly the relevant provisions of international humanitarian law.

"The Council recognizes that the effects of the war have exacted a heavy toll on the civilian populations of Eritrea and Ethiopia, including through the internal displacement and the outflow of refugees. It urges the respective Governments to continue to redirect their efforts towards the reconstruction and development of both economies, to work towards reconciliation with a view to normalizing their relations and to engage in constructive cooperation with the other neighbouring States in the Horn of Africa, with a view to achieving stability in the subregion. It also urges contributions from the international community, including United Nations agencies and the international financial institutions, in support of the reconstruction efforts of both countries.

"The Council remains seized of the matter."

At its 4294th meeting, on 15 March 2001, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Report of the Secretary-General on Ethiopia and Eritrea (S/2001/202)".

Resolution 1344 (2001)
of 15 March 2001

The Security Council,

Recalling its resolutions 1298 (2000) of 17 May 2000, 1308 (2000) of 17 July 2000, 1312 (2000) of 31 July 2000 and 1320 (2000) of 15 September 2000, the statement by its President of 9 February 2001,[241] and all relevant resolutions and statements by its President pertaining to the Ethiopia-Eritrea conflict,

Reaffirming the commitment of all Member States to the sovereignty, independence and territorial integrity of Ethiopia and Eritrea,

Reaffirming also the need for both parties to fulfil all their obligations under international humanitarian, human rights and refugee law,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted by the General Assembly in its resolution 49/59 of 9 December 1994, *Reaffirming its strong support* for the Agreement on Cessation of Hostilities between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea, signed in Algiers on 18 June 2000,[243] and the subsequent comprehensive Peace Agreement signed by the parties in Algiers on 12 December 2000,[244]

Welcoming the progress made thus far in the implementation of those Agreements,

Reaffirming its strong support for the role of the Secretary-General in continuing to help to implement the Agreements, including through his good offices, for the continuing efforts of his Special Representative and for the contributions of relevant United Nations entities,

Expressing its strong support for the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate,

Having considered the report of the Secretary-General of 7 March 2001,[245]

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea at the troop and military observer levels authorized pursuant to resolution 1320 (2000) until 15 September 2001;

2. *Calls upon* the parties to continue working towards the full and prompt implementation of their agreements, including an expeditious completion of the remaining steps, in particular the rearrangement of forces necessary for the establishment of the temporary security zone, and to fulfil the following obligations:

(*a*) To ensure freedom of movement and access for the Mission;

(*b*) To establish a direct air corridor between Addis Ababa and Asmara in the interest of the safety of United Nations personnel;

(*c*) To conclude status-of-forces agreements with the Secretary-General;

(*d*) To facilitate mine action in coordination with the United Nations Mine Action Service, in particular through exchanging and providing existing maps and any other relevant information to the United Nations;

3. *Stresses* that the Agreements link the termination of the United Nations peacekeeping mission with the completion of the process of delimitation and demarcation of the Ethiopia-Eritrea border, which is a key element of the peace process;

4. *Notes* the primary responsibility of the parties under the comprehensive Peace Agreement[244] to fund the Boundary Commission, and urges them to fulfil their financial obligations in this regard;

5. *Stresses* the importance of the close relationship between the Mission and the Boundary Commission and, noting the recommendations contained in paragraphs 50 and 53 of the report of the Secretary-General,[245] encourages the Mission to provide appropriate support to the Boundary Commission;

6. *Decides* to consider the recommendations in paragraphs 50 and 53 of the report of the Secretary-General upon receipt of more detailed information;

7. *Calls upon* all States and international organizations to consider providing further support to the peace process, including through contributions to the voluntary Trust Fund, to facilitate the rapid delimitation and demarcation of the common border, as well as to assist and participate in the longer-term tasks of reconstruction and development and the economic and social recovery of Ethiopia and Eritrea;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 4294th meeting.

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[245] S/2001/202.

Decisions

On 16 March 2001, the President of the Security Council addressed the following letter to the Secretary-General:[246]

> "The members of the Security Council took note of the recommendations contained in paragraphs 50 and 53 of your report on Ethiopia and Eritrea.[245] Members of the Council share your views on the importance of the Boundary Commission to the successful implementation of the mandate of the United Nations Mission in Ethiopia and Eritrea. In order to make decisions on this matter, it would be useful to receive quantified and detailed proposals on the recommendations contained in your report.
>
> "The members of the Council would appreciate a response to this letter at your earliest convenience."

At its 4310th meeting, on 19 April 2001, the Council considered the item entitled "The situation between Eritrea and Ethiopia".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4320th meeting, on 15 May 2001, the Council considered the item entitled "The situation between Eritrea and Ethiopia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[247]

> "Recalling all resolutions and statements by its President regarding the situation between Ethiopia and Eritrea, the Security Council emphasizes the importance of the commitments undertaken by the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia under the Agreement on Cessation of Hostilities, signed in Algiers on 18 June 2000,[243] and the subsequent Peace Agreement between the parties signed in Algiers on 12 December 2000[244] (Algiers Agreements).
>
> "The Council reiterates its strong support for the role of the Secretary-General in helping to implement the Algiers Agreements, including through his own good offices, and for the efforts of his Special Representative. It further expresses its appreciation for the continued role of the Organization of African Unity in helping to implement the Algiers Agreements.
>
> "The Council also reiterates its appreciation for the continued deployment of the United Nations Mission in Ethiopia and Eritrea, both to the troop-contributing countries and to those Member States that have provided the Mission with additional assets.
>
> "The Council encourages both parties to continue working towards the full and prompt implementation of the Algiers Agreements and, in this context, to take concrete confidence-building measures. The Council reaffirms its continued commitment to a peaceful definitive settlement of the conflict. In this connection, the Council notes with satisfaction that the parties have agreed to the proposal of the Secretary-General of 1 May 2001 on the composition of the Boundary and Claims Commissions, critical components to the peaceful definitive settlement of the conflict. It now calls upon the parties to cooperate fully with the Boundary Commission and to fulfil their financial responsibilities regarding its work.

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[246] S/2001/233.

[247] S/PRST/2001/14.

"The Council stresses that the parties must provide free movement and access for the Mission and its supplies, as required throughout the territories of the parties, without any restrictions, including within the Temporary Security Zone and the 15-kilometre wide adjacent area. Free and unhindered access for the Mission is a fundamental condition for the success of the peacekeeping operation. The Council emphasizes also that the purpose of the Temporary Security Zone is to separate the armed forces of the parties. The Zone must be completely demilitarized. The civilian populations inside the Zone should be supported by an appropriate but limited number of Eritrean civilian militia and police

"The Council calls upon the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate and to abide scrupulously by the letter and spirit of their Agreements, particularly regarding the inviolability of the Temporary Security Zone. It also calls upon both parties to exercise restraint in their public statements.

"The Council further calls upon the parties to continue to facilitate mine action in coordination with the United Nations Mine Action Service. It encourages the parties to exercise caution in returning civilians to the Temporary Security Zone before it has been adequately demined. The Council calls for the immediate establishment of a secure air corridor between Addis Ababa and Asmara that does not require a detour through other countries. It also calls upon Eritrea to conclude the necessary status-of-forces agreement for the Mission.

"The Council notes that, in accordance with paragraph 16 of resolution 1298 (2000) of 17 May 2000, the arms embargo on the parties expires on 16 May 2001. The Council recognizes that the Algiers Agreements are consistent with paragraphs 2 through 4 of resolution 1298 (2000). Under the current circumstances, the measures imposed by paragraph 6 of that resolution have not been extended by the Council beyond 16 May 2001.

"The Council urges the parties to ensure that efforts are redirected from weapons procurement and other military activities towards the reconstruction and development of both economies, and regional reconciliation, with a view to achieving stability in the Horn of Africa. The Council reiterates its encouragement of Member States to exercise the highest degree of responsibility in discouraging arms flows to countries and regions emerging from armed conflicts.

"The Council remains vigilant and expresses its intention to take appropriate measures if the situation between Eritrea and Ethiopia again threatens regional peace and security.

"The Council will remain seized of the matter."

At its 4372nd meeting, on 14 September 2001, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Report of the Secretary-General on Ethiopia and Eritrea (S/2001/843)".

Resolution 1369 (2001)
of 14 September 2001

The Security Council,

Recalling its resolutions 1298 (2000) of 17 May 2000, 1308 (2000) of 17 July 2000, 1312 (2000) of 31 July 2000, 1320 (2000) of 15 September 2000 and 1344 (2001) of 15 March 2001, the statements by its President of 9 February[241] and 15 May 2001,[247] and all relevant resolutions and statements pertaining to the situation between Ethiopia and Eritrea,

Reaffirming the commitment of all Member States to the sovereignty, independence and territorial integrity of Ethiopia and Eritrea,

Also reaffirming the need for both parties to fulfil their obligations under international law, international humanitarian law, human rights law and refugee law, and to ensure the safety of all personnel of the United Nations, the International Committee of the Red Cross and other humanitarian organizations,

Reaffirming its strong support for the comprehensive Peace Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia signed in Algiers on 12 December 2000,[244] and the preceding Agreement on Cessation of Hostilities, signed in Algiers on 18 June 2000[243] (hereinafter referred to collectively as the "Algiers Agreements"),

Also reaffirming its strong support for the help in implementing the Algiers Agreements continuously provided by the Secretary-General and his Special Representative, including through their good offices, and by the Organization of African Unity,

Further reaffirming its strong support for the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate, as well as by the Organization of African Unity Liaison Mission in Ethiopia-Eritrea,

Welcoming the progress made thus far in implementing the Algiers Agreements, including in the establishment and functioning of the Temporary Security Zone and the constitution of the Boundary and Claims Commissions, respectively,

Having considered the report of the Secretary-General of 5 September 2001,[248]

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea at the troop and military observer levels authorized pursuant to resolution 1320 (2000) until 15 March 2002;

2. *Calls upon* the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate and to abide scrupulously by the letter and spirit of their agreements, including regarding cooperation with the Boundary Commission and facilitation of its work;

3. *Emphasizes* that the Algiers Agreements link the termination of the Mission with the completion of the work of the Boundary Commission related to delimitation and demarcation of the Ethiopia-Eritrea border;

4. *Emphasizes also* that the Temporary Security Zone must be completely demilitarized;

5. *Calls upon* the parties to resolve urgently the outstanding issues in accordance with the Algiers Agreements and fulfil the following obligations:

(*a*) The parties must provide freedom of movement and access for Mission personnel and supplies as required for the performance of the duties of the Mission; Eritrea must, without restrictions. allow the Mission to monitor the 15-kilometre area north of the Temporary Security Zone and Ethiopia must avoid placing restrictions on the freedom of movement of the Mission in the 15-kilometre area south of the Temporary Security Zone;

(*b*) The parties must facilitate the establishment of a secure and practicable air corridor between Addis Ababa and Asmara, which does not require a detour through other countries, by accepting the proposal made in this regard by the Special Representative of the Secretary General;

(*c*) Eritrea must provide the Mission with information on the local militia and police inside the Temporary Security Zone, including their weapons, necessary for the Mission to verify that the functions and configuration of the militia and police do not exceed that which prevailed before the outbreak of the conflict;

(*d*) Ethiopia must provide the Mission with full information and maps concerning all minefields so as to facilitate the work of the Mine Action Coordination Centre with a view, inter alia, to allowing internally displaced persons to return safely to their homes within the Temporary Security Zone;

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[248] S/2001/843.

(*e*) Eritrea must, without further delay, conclude the status-of-forces agreement with the Secretary-General;

(*f*) The parties must, unconditionally and without further delay, and in accordance with the Geneva Conventions of 12 August 1949,[249] release and return the remaining prisoners of war and detainees under the auspices of the International Committee of the Red Cross;

(*g*) The parties must fulfil their financial responsibilities regarding the Boundary Commission;

6. *Also calls upon* the parties, where relevant, in cooperation with the Mission, to explore and pursue a range of confidence-building measures, including the following:

(*a*) Affording humane treatment to each other's nationals and persons of each other's national origin and allowing each other's nationals to remain, without discrimination, in locations where they have decided to settle;

(*b*) Assisting relevant initiatives and contacts between organizations and groups, including those of civil society, in the two countries;

(*c*) Exercising restraint in public statements;

7. *Encourages* all States and international organizations to support the peace process, including through:

(*a*) Contributions to the voluntary Trust Fund to Support the Peace Process in Ethiopia and Eritrea, to facilitate quick-impact projects for emergency reconstruction and confidence-building measures;

(*b*) Contributions to the voluntary Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border;

(*c*) Contributions to the United Nations country teams consolidated appeals for humanitarian assistance to Eritrea and Ethiopia;

(*d*) Assistance to facilitate sustainable reintegration of demobilized soldiers, internally displaced persons and refugees;

(*e*) Assistance in the longer-term tasks of reconstruction and development, and the economic and social recovery of Ethiopia and Eritrea;

(*f*) Exercise of the highest degree of responsibility in discouraging arms flows to the region;

8. *Urges* the parties to ensure that efforts are redirected from weapons procurement and other military activities towards the reconstruction and development of their economies, and encourages both countries to continue and to enhance the efforts to improve their relations in order to promote regional peace and security;

9. *Expresses its intention* to continue to monitor closely progress by the parties in implementing the provisions of the Algiers Agreements and the requirements of the present resolution, and to consider a mission to the two countries before agreeing to a further renewal of the mandate, in order to monitor progress and discuss possible further steps towards reconciliation;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4372nd meeting.

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[249] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

Decisions

At its 4420th meeting, held in private on 16 November 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4420th meeting, held in private on 16 November 2001, the Security Council considered the item entitled 'The situation between Eritrea and Ethiopia'.
>
> "In accordance with the understanding reached in the Council's prior consultations, and with the consent of the Council, the President extended an invitation to Mr. Ali Said Abdella, Minister for Foreign Affairs of Eritrea, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council and the Minister for Foreign Affairs of Eritrea had a constructive discussion."

At its 4421st meeting, held in private on 16 November 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4421st meeting, held in private on 16 November 2001, the Security Council considered the item entitled 'The situation between Eritrea and Ethiopia'.
>
> "In accordance with the understanding reached in the Council's prior consultations, and with the consent of the Council, the President extended an invitation to Mr. Seyoum Mesfin, Minister for Foreign Affairs of Ethiopia, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council and the Minister for Foreign Affairs of Ethiopia had a constructive discussion."

At its 4450th meeting, on 16 January 2002, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

> "Progress report of the Secretary-General on Ethiopia and Eritrea (S/2001/1194)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[250]

> "The Security Council, recalling all its resolutions and the statements by its President regarding the situation in Ethiopia and Eritrea, welcomes the progress report of the Secretary-General of 13 December 2001.[251]
>
> "The Council reaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity of Ethiopia and Eritrea. The Council also reaffirms its strong support for the comprehensive Peace Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia signed in Algiers on 12 December 2000[244] and the preceding Agreement on Cessation of Hostilities signed in Algiers on 18 June 2000[243] (hereinafter referred to collectively as the 'Algiers Agreements'). The Council reaffirms its unwavering commitment to contribute to the completion of the peace process.
>
> "The Council looks forward to the border delimitation determination by the Boundary Commission, which is final and binding. The Council stresses that in accordance with

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[250] S/PRST/2002/1.

[251] S/2001/1194.

article 4, paragraph 15, of the comprehensive Peace Agreement, which has the full support of the international community, the parties have committed themselves to accepting fully the determination of the Boundary Commission.

"The Council notes that, notwithstanding the outstanding issues, the situation in the Temporary Security Zone has remained calm, with the considerable progress made to date under the peace process preserved.

"The Council reiterates its strong support for the United Nations Mission in Ethiopia and Eritrea and calls upon the parties to cooperate fully with the Mission.

"The Council notes that the Mission has proved allegations made in the recent past by the parties, including concerning military build-up in the Temporary Security Zone and adjacent areas north of the zone, to be unfounded. The Council welcomes the recent reduction in the use of rhetoric by the parties and encourages them to continue to defuse tension and exercise greater degrees of flexibility in their approaches to the peace process.

"The Council notes that Eritrea has begun to allow the Mission to visit some locations in the adjacent area north of the Temporary Security Zone upon 24-hours notification and calls again upon Eritrea to grant the Mission the full freedom of movement it requires in this area to allow, in particular, for monitoring of Eritrea's redeployed forces and, hence, to facilitate expeditious responses to any allegations, thereby facilitating mutual confidence.

"The Council reiterates its call upon Eritrea to disclose the number, strength and disposition of its militia and police inside the Temporary Security Zone and to refrain from deployment close to the southern boundary of the Zone, thereby facilitating mutual confidence.

"The Council also reiterates its call upon Eritrea to conclude the status-of-forces agreement with the Secretary-General. The Council notes in this regard that the model status-of-forces agreement, as set out in its resolution 1320 (2000) of 15 December 2000, is in effect.

"The Council notes the information provided by Ethiopia regarding mines and calls upon Ethiopia to provide the Mission with further details on the types of mines used in the Temporary Security Zone and adjacent areas, as well as more specific information on minefields already cleared by Ethiopian armed forces, with a view to facilitating the return home of internally displaced persons and the forthcoming border demarcation work.

"The Council expresses its regret that there has been no progress regarding the establishment of a direct high-altitude flight route for the Mission between Asmara and Addis Ababa. It notes with deep concern that the current extended flight route for the Mission between the two capitals has significant security, logistical and financial implications. The Council calls upon the parties once again to work with the Special Representative of the Secretary-General in a spirit of compromise to settle the issue for the mutual benefit of all.

"The Council, underlining the need for confidence-building measures, calls upon the parties to release and return unconditionally and without further delay, under the auspices of the International Committee of the Red Cross, all remaining prisoners of war and to release all other persons detained as a result of the armed conflict, in accordance with international humanitarian law and the Algiers Agreements. In this regard, the Council welcomes the repatriation yesterday of twenty-five Ethiopian prisoners of war from Eritrea under the auspices of the International Committee of the Red Cross. The Council encourages authorities and civil society in both Ethiopia and Eritrea to afford humane treatment, without discrimination, to each other's nationals and persons of each other's national origin within their respective territories.

"The Council, inviting the parties to make further contributions to fulfil their financial responsibilities regarding the Boundary Commission, expresses its determination to support the practical demarcation of the border. It looks forward to the forthcoming recommendations by the Secretary-General in this regard.

"The Council, expressing appreciation to those Member States that have already provided voluntary contributions, calls upon Member States in a position to do so to provide further support to the peace process and to alleviate the difficult humanitarian situation and, where conditions allow, to help to facilitate reconstruction and development in both countries, including by making contributions through the following channels:

(*a*) The United Nations consolidated appeals process for 2002;

(*b*) The United Nations Trust Fund to Support the Peace Process in Ethiopia-Eritrea; and

(*c*) The United Nations Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border, established pursuant to resolution 1177 (1998) of 26 June 1998.

"The Council confirms its intention to send a mission to the two countries in February 2002."

On 31 January 2002, the President of the Security Council addressed the following letter to the Secretary-General:[252]

"I have the honour to inform you that the Security Council has agreed to dispatch a mission to Eritrea and Ethiopia from 20 to 25 February 2002. The members of the Council have also agreed upon the terms of reference of the mission, a copy of which is enclosed herewith (see annex).

"The composition of the mission is as follows:

" Norway (Ambassador Ole Peter Kolby, head of mission);

"Bulgaria (Ambassador Stefan Tafrov);

"Cameroon (Mr. Ferdinand Ngoh Ngoh, Minister);

"China (Mr. Chen Xu, Minister Counsellor);

"Colombia (Ambassador Alfonso Valdivieso);

"France (Madame Emmanuelle D'Achon, Political Counsellor);

"Guinea (Ambassador François Lonseny Fall);

"Ireland (Ambassador Gerard Corr);

"Mauritius (Ambassador Jagdish Koonjul);

"Mexico (Ms. Maria Angélica Arce de Jeannet, Minister);

"Russian Federation (Ambassador Gennady Gatilov, First Deputy Permanent Representative);

"Singapore (Ambassador Kishore Mahbubani);

"Syrian Arab Republic (Mr. Fayssal Mekdad, Minister Counsellor);

"United Kingdom of Great Britain and Northern Ireland (Ambassador Stewart Eldon);

"United States of America (Ambassador Richard Williamson, Alternate Representative for Special Political Affairs).

"I should be grateful if you would have the Secretariat make all the necessary arrangements to facilitate the work of the mission.

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[252] S/2002/129.

"Annex

"Terms of reference for the Security Council mission to Ethiopia and Eritrea

"1. The Security Council is sending a mission to Ethiopia and Eritrea in support of the peace process between the two neighbouring countries and of the efforts to implement the Algiers Agreements and relevant Council resolutions. The mission will visit Addis Ababa, Asmara and the Temporary Security Zone. It will spend one day in each location.

"2. The Council recognizes that the upcoming border delimitation determination by the Boundary Commission, which is final and binding, represents a key step in the peace process between the two countries. The Council stresses that, in accordance with article 4, paragraph 15, of the comprehensive Peace Agreement,[244] the parties have committed themselves to accepting fully the determination of the Commission. The Security Council mission will relay to the parties the monumental importance that the international community attaches to their embracing the determination of the Commission as the ultimate measure of their commitment to the peace process. The mission will discuss with the parties measures to implement all aspects of the determination of the Commission.

"3. The mission will also address elements related to the consideration of the renewal of the mandate of the United Nations Mission in Ethiopia and Eritrea by 15 March 2002, particularly those related to outstanding issues in accordance with the statement by the President of the Security Council issued on 16 January 2002,[250] as well as concrete ways and means for the United Nations Mission in Ethiopia and Eritrea to assist in the physical demarcation process, including through mine clearance.

"4. The Council emphasizes the need for broad-based confidence-building measures and reconciliation efforts at all levels within and between the two countries. The Security Council mission will encourage initiatives in that regard, such as the release of all prisoners of war and civilian internees and the dialogue between religious leaders. The Security Council mission will strongly urge the parties to support and initiate further reconciliation measures.

"5. The Security Council mission will address the humanitarian situation resulting from the conflict in the two countries, including reintegration of refugees and internally displaced persons, the situation of women and their role in post-conflict rehabilitation, the demobilization of soldiers and the status of rehabilitation and reconstruction efforts.

"6. The Security Council mission will stress that the overall objective of the peace process is to normalize the relations between the two neighbouring countries.

"7. The Security Council mission will praise the leaders for their leadership in guiding the peace process forward and will reiterate the unwavering commitment of the international community to contribute to the completion of the peace process.

"8. The Security Council mission will report back to the Council, at which time it will make recommendations for further actions by the Council and the Secretary-General. In that connection, an open meeting of the Council will be convened in early March 2002."

At its 4485th meeting, on 6 March 2002, the Council decided to invite the representatives of Eritrea, Ethiopia, Japan, the Netherlands and Spain to participate, without vote, in the discussion of the item entitled:

"The situation between Eritrea and Ethiopia

"Report of the Security Council mission to Ethiopia and Eritrea (S/2002/205)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ole Peter Kolby, Head of the Security Council mission to Eritrea and Ethiopia.

At its 4494th meeting, on 15 March 2002, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Progress report of the Secretary-General on Ethiopia and Eritrea (S/2002/245)".

Resolution 1398 (2002)
of 15 March 2002

The Security Council,

Recalling its resolutions 1298 (2000) of 17 May 2000, 1308 (2000) of 17 July 2000, 1312 (2000) of 31 July 2000, 1320 (2000) of 15 September 2000, 1344 (2001) of 15 March 2001 and 1369 (2001) of 14 September 2001, the statements by its President of 9 February[241] and 15 May 2001[247] and of 16 January 2002,[250] and all other relevant resolutions and statements pertaining to the situation between Ethiopia and Eritrea,

Recalling also the report of 27 February 2002 of the Security Council mission to Ethiopia and Eritrea[253] undertaken in the period 21 to 25 February 2002,

Reaffirming the commitment of all Member States to the sovereignty, independence and territorial integrity of Ethiopia and Eritrea,

Reaffirming also the need for both parties to fulfil their obligations under international law, including international humanitarian law, human rights law and refugee law, and to ensure the safety of all personnel of the United Nations, the International Committee of the Red Cross and other humanitarian organizations,

Reaffirming its strong support for the comprehensive Peace Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia signed in Algiers on 12 December 2000,[244] and the preceding Agreement on Cessation of Hostilities between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea, signed in Algiers on 18 June 2000[243] (hereinafter referred to collectively as the "Algiers Agreements"),

Also reaffirming its strong support for the help in implementing the Algiers Agreements continuously provided by the Secretary-General and his Special Representative, including through their good offices,

Further reaffirming its strong support for the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate and the facilitation of a peaceful settlement of the dispute,

Reaffirming its strong support for the Organization of African Unity Liaison Mission in Ethiopia-Eritrea, and inviting the Secretary-General of the Organization of African Unity to continue to offer the full support of that Organization for the peace process,

Having considered the report of the Secretary-General of 8 March 2002,[254]

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea at the troop and military observer levels authorized by resolution 1320 (2000) until 15 September 2002;

2. *Expresses its satisfaction and anticipation* that a final legal settlement of the border issues is about to be reached in accordance with the Algiers Agreements, and welcomes in this regard recent statements by both parties reaffirming that the upcoming border delimitation

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[253] S/2002/205.

[254] S/2002/245.

determination (hereinafter referred to as "the decision") by the Boundary Commission is final and binding;

3. *Commends* the parties on the progress made thus far in implementing the Algiers Agreements, including the continued observance of the Temporary Security Zone and the steps taken in cooperation with the United Nations Cartographer to prepare for the implementation of the decision by the Boundary Commission once it has been announced;

4. *Calls upon* the parties to cooperate fully and expeditiously with the Mission in the further implementation of its mandate, to abide scrupulously by the letter and spirit of their agreements and to engage closely with the Special Representative of the Secretary-General regarding the implementation of the decision by the Boundary Commission, including expeditiously engaging with the Mission in their plans for the demining necessary for demarcation;

5. *Emphasizes* the importance of ensuring expeditious implementation of the upcoming decision by the Boundary Commission while maintaining stability in all areas affected by the decision, and encourages the parties to consider further practical ways and means of conducting implementation-related consultations, possibly through appropriate strengthening of the Military Coordination Commission and/or other arrangements with the support of the guarantors and facilitators of and witnesses to the Algiers Agreements;

6. *Emphasizes also* that in accordance with article 14 of the Agreement on Cessation of Hostilities,[243] the security arrangements are to remain in effect, and that, accordingly, arrangements for the separation of forces, as achieved by the Temporary Security Zone, will continue to be of key importance;

7. *Emphasizes further* that any transfer of territory and civil authority, as well as population movements and movements of troops, pursuant to the decision by the Boundary Commission, should take place in an orderly manner through dialogue and modalities facilitated by the United Nations, in accordance with article 4, paragraph 16, of the comprehensive Peace Agreement,[244] and without any unilateral actions;

8. *Emphasizes* that until the border demarcation has been completed, the Mission will continue to discharge its mandate;

9. *Emphasizes its resolve* to support the parties in the implementation of the decision by the Boundary Commission, and invites the Secretary-General to submit as soon as possible recommendations to the Council on ways in which the Mission can play an appropriate role in the border demarcation process, including with regard to demining for demarcation, taking into account the decision by the Boundary Commission, the contributions by the parties, the capacity of the Mission and the resources available in the United Nations Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border ;

10. *Calls again upon* Eritrea, notwithstanding the prior notification procedure, to allow the Mission full freedom of movement to monitor the redeployed forces, to disclose the number, strength and disposition of its militia and police inside the Temporary Security Zone, and to conclude the status-of-forces agreement with the Secretary-General;

11. *Urges* Ethiopia to provide the United Nations Mine Action Coordination Centre with clarifications to the information already put forward, as promised in this regard;

12. *Expresses its concern* that there has been no progress regarding the establishment of a direct high-altitude flight route for the Mission between Asmara and Addis Ababa, and calls again upon the parties to work with the Special Representative of the Secretary-General in a spirit of compromise to settle the issue for the mutual benefit of all;

13. *Calls upon* the parties to release and return without further delay all remaining prisoners of war and civilian internees under the auspices of the International Committee of the

Red Cross, in accordance with the Geneva Conventions of 12 August 1949[249] and the Algiers Agreements;

14. *Also calls upon* the parties to take other measures that will build confidence and promote reconciliation between the two peoples for their mutual benefit, including by affording humane treatment to each other's nationals in accordance with the Algiers Agreements; facilitating sustainable reintegration of refugees, internally displaced persons and demobilized soldiers; promoting cross-border contacts at the local level aimed at resolving disputes and rebuilding community relations; and by facilitating further dialogue among civil society at all levels in the two countries, such as that recently undertaken by the religious leaders;

15. *Encourages* the parties to make arrangements to enable the Mission to disseminate information to relevant population groups in the Mission area about the delimitation and demarcation of the border between the two countries and the role of the United Nations in this regard;

16. *Also encourages* the parties to focus on reconstruction and development of their economies and on improving their relations, for the benefit of all the people and with a view to promoting regional peace and security;

17. *Encourages* the guarantors and facilitators of and witnesses to the Algiers Agreements to provide their continued support for the peace process, and invites all States and international organizations to support the process, including by exercising the highest degree of responsibility in discouraging arms flows to the region and by providing contributions to the Trust Fund to Support the Peace Process in Ethiopia and Eritrea, the Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border and to the United Nations consolidated appeals process for 2002;

18. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4494th meeting.

Decisions

At its 4529th meeting, held in private on 13 May 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4529th meeting, held in private on 13 May 2002, the Security Council considered the item entitled 'The situation between Eritrea and Ethiopia'.
>
> "The President, with the consent of the Council, invited the representative of Eritrea to participate in the discussion of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council and the representative of Eritrea had a constructive discussion."

At its 4530th meeting, held in private on 13 May 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4530th meeting, held in private on 13 May 2002, the Security Council considered the item entitled 'The situation between Eritrea and Ethiopia'.
>
> "The President, with the consent of the Council, invited the representative of Ethiopia to participate in the discussion of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

> "The members of the Council and the representative of Ethiopia had a constructive discussion."

THE SITUATION IN GUINEA FOLLOWING RECENT ATTACKS ALONG ITS BORDER WITH LIBERIA AND SIERRA LEONE

THE SITUATION IN LIBERIA

THE SITUATION IN SIERRA LEONE

Decision

At its 4276th meeting, held in private on 12 February 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4276th meeting, held in private on 12 February 2001, the Security Council considered the situation in Guinea following recent attacks along its border with Liberia and Sierra Leone, the situation in Liberia and the situation in Sierra Leone.
>
> "In accordance with the understanding reached in the Council's prior consultations, the Council met with the delegation of the Economic Community of West African States Mediation and Security Council. The delegation was composed of the Minister for Foreign Affairs of Mali, leader of the delegation, the Minister for Foreign Affairs of Togo and the Minister of State for Foreign Affairs of Nigeria, to whom invitations were extended in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council, and the Executive Secretary of the Economic Community of West African States, who was invited in accordance with rule 39 of the provisional rules of procedure.
>
> "In accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure of the Council, the President also extended invitations to the Ministers for Foreign Affairs of Liberia and Sierra Leone, and to the Permanent Representatives of the Gambia and Guinea to the United Nations.
>
> "The Council had a full and constructive discussion with the delegation of the Economic Community of West African States Mediation and Security Council, in a spirit of true partnership between the Security Council and the Economic Community of West African States."

THE SITUATION CONCERNING WESTERN SAHARA

[*Resolutions or decisions on this question were adopted by the Security Council in 1975, 1988, and from 1990 to 2000.*]

Decision

At its 4284th meeting, on 27 February 2001, the Security Council considered the item entitled:

> "The situation concerning Western Sahara
>
> > "Report of the Secretary-General on the situation concerning Western Sahara (S/2001/148)".

Resolution 1342 (2001)
of 27 February 2001

The Security Council,

Reaffirming all its previous resolutions on the question of Western Sahara, in particular resolutions 1108 (1997) of 22 May 1997, 1292 (2000) of 29 February 2000, 1301 (2000) of 31 May 2000, 1309 (2000) of 25 July 2000 and 1324 (2000) of 30 October 2000, and also resolution 1308 (2000) of 17 July 2000,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[255]

Welcoming the report of the Secretary-General of 20 February 2001[256] and the observations and recommendations contained therein, and expressing its full support for the role and work of his Personal Envoy,

Reiterating its full support for the continued efforts exerted by the United Nations Mission for the Referendum in Western Sahara to implement the settlement plan[257] and agreements adopted by the parties to hold a free, fair and impartial referendum for the self-determination of the people of Western Sahara,

Noting that fundamental differences between the parties over the interpretation of the main provisions of the settlement plan remain to be resolved,

1. *Decides* to extend the mandate of United Nations Mission for the Referendum in Western Sahara until 30 April 2001, with the expectation that the parties, under the auspices of the Personal Envoy of the Secretary-General, will continue to try to resolve the multiple problems relating to the implementation of the settlement plan[257] and try to agree upon a mutually acceptable political solution to their dispute over Western Sahara;

2. *Requests* the Secretary-General to provide an assessment of the situation before the end of the present mandate;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4284th meeting.

Decision

At its 4315th meeting, on 27 April 2001, the Security Council considered the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/2001/398)".

Resolution 1349 (2001)
of 27 April 2001

The Security Council,

Reaffirming all its previous resolutions on the question of Western Sahara, in particular resolutions 1108 (1997) of 22 May 1997, 1292 (2000) of 29 February 2000, 1301 (2000) of 31 May 2000, 1309 (2000) of 25 July 2000, 1324 (2000) of 30 October 2000, and 1342 (2001) of 27 February 2001, and also resolution 1308 (2000) of 17 July 2000,

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[255] General Assembly resolution 49/59, annex.

[256] S/2001/148.

[257] See S/21360 and S/22464

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[255]

Welcoming the report of the Secretary-General of 24 April 2001[258] and the observations and recommendations contained therein, and expressing its full support for the role and work of his Personal Envoy,

Reiterating its full support for the continued efforts exerted by the United Nations Mission for the Referendum in Western Sahara to implement the settlement plan[257] and agreements adopted by the parties to hold a free, fair and impartial referendum for the self-determination of the people of Western Sahara,

Noting that fundamental differences between the parties over the interpretation of the main provisions of the settlement plan remain to be resolved,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 30 June 2001, with the expectation that the parties, under the auspices of the Personal Envoy of the Secretary-General, will continue to try to resolve the multiple problems relating to the implementation of the settlement plan[257] and try to agree upon a mutually acceptable political solution to their dispute over Western Sahara;

2. *Requests* the Secretary-General to provide an assessment of the situation before the end of the present mandate;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4315th meeting.

Decision

At its 4342nd meeting, on 29 June 2001, the Security Council considered the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/2001/613)".

Resolution 1359 (2001)
of 29 June 2001

The Security Council,

Recalling all its resolutions on the question of Western Sahara, in particular resolution 1108 (1997) of 22 May 1997, and the statement by its President of 19 March 1997,[259]

Recalling also its resolution 1308 (2000) of 17 July 2000 and the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[255]

Reaffirming the provisions contained in Article 1, paragraph 2, of the Charter of the United Nations,

Having considered the report of the Secretary-General of 20 June 2001,[260]

Expressing its full support for the role and work of the Personal Envoy of the Secretary-General,

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[258] S/2001/398.

[259] S/PRST/1997/16.

[260] S/2001/613.

Reiterating its full support for the ongoing efforts of the United Nations Mission for the Referendum in Western Sahara to implement the settlement plan[257] and agreements adopted by the parties to hold a free, fair and impartial referendum for the self-determination of the people of Western Sahara,

Taking into consideration the official proposals submitted by the Frente Popular para la Liberación de Saguía el-Hamra and Río de Oro in order to overcome the obstacles preventing the implementation of the settlement plan contained in annex IV to the report of the Secretary-General,

Taking into consideration also the draft framework agreement on the status of Western Sahara contained in annex I to the report of the Secretary-General, which would provide for a substantial devolution of authority, does not foreclose self-determination and indeed provides for it,

Taking into consideration further the memorandum of the Government of Algeria on the draft status for Western Sahara contained in annex II to the report of the Secretary-General,

Reaffirming its commitment to assist the parties to achieve a just and lasting solution to the question of Western Sahara,

1. *Decides*, as recommended by the Secretary-General in his report,[260] to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 30 November 2001;

2. *Supports fully* the efforts of the Secretary-General to invite all the parties to meet directly or through proximity talks, under the auspices of his Personal Envoy, and encourages the parties to discuss the draft framework agreement on the status of Western Sahara and to negotiate any specific changes they would like to see in this proposal, as well as to discuss any other proposal for a political solution which may be put forward by the parties, to arrive at a mutually acceptable agreement;

3. *Affirms* that while discussions referred to above go on, the official proposals submitted by the Frente Popular para la Liberación de Saguía el-Hamra and Río de Oro to overcome the obstacles preventing implementation of the settlement plan[257] will be considered;

4. *Recalls* that according to the rules of the consultations established by the Personal Envoy, nothing would be agreed until everything had been agreed, and therefore emphasizes that by engaging in these negotiations the parties will not prejudice their final positions;

5. *Urges* the parties to solve the problem of the fate of people unaccounted for, and calls upon the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;

6. *Requests* the Secretary-General to provide an assessment of the situation before the end of the present mandate and, as appropriate, recommendations on the future mandate and composition of the Mission;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 4342nd meeting.

Decisions

On 2 November 2001, the President of the Security Council addressed the following letter to the Secretary-General:[261]

> "I have the honour to inform you that your letter dated 30 October 2001 concerning your intention to appoint Mr. William Lacy Swing, of the United States of America, to

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[261] S/2001/1042.

succeed Mr. William Eagleton as your Special Representative for Western Sahara effective from 1 December 2001[262] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4427th meeting, on 27 November 2001, the Council considered the item entitled:

"The situation concerning Western Sahara

> "Letter dated 12 November 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/1067)".

Resolution 1380 (2001)
of 27 November 2001

The Security Council,

Reaffirming its resolution 1359 (2001) of 29 June 2001 and its previous resolutions on the question of Western Sahara,

Taking note of the letter of the Secretary-General dated 12 November 2001,[263]

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 28 February 2002;

2. *Requests* the Secretary-General to keep the Security Council informed of all significant developments in an interim report to be submitted by 15 January 2002 and to provide an assessment of the situation by 18 February 2002;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4427th meeting.

Decision

At its 4480th meeting, on 27 February 2002, the Security Council considered the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/2002/178)".

Resolution 1394 (2002)
of 27 February 2002

The Security Council,

Reaffirming its resolutions on the question of Western Sahara and its commitment to assist the parties to achieve a just, lasting and mutually acceptable solution,

Taking note of the report of the Secretary-General of 19 February 2002,[264]

1. *Decides*, as recommended by the Secretary-General in his report,[264] to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 30 April 2002 and to consider actively the options described in his report, addressing this issue in its programme of work;

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[262] S/2001/1041.

[263] S/2001/1067.

[264] S/2002/178.

2. *Requests* the Secretary-General to submit a report on the situation before the end of the present mandate;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4480th meeting.

Decision

At its 4523rd meeting, on 30 April 2002, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2002/467)".

Resolution 1406 (2002)
of 30 April 2002

The Security Council,

Recalling all its resolutions on the question of Western Sahara, in particular resolution 1394 (2002) of 27 February 2002,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 July 2002 in order to consider further the report of the Secretary-General of 19 February 2002;[264]

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 4523rd meeting.

Decisions

On 16 July 2002, the President of the Security Council addressed the following letter to the Secretary-General:[265]

"I have the honour to inform you that your letter dated 10 July 2002 concerning your intention to appoint Major General Gyorgy Szaraz, of Hungary, to the post of Force Commander of the United Nations Mission for the Referendum in Western Sahara[266] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4594th meeting, on 30 July 2002, the Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2002/178)".

Resolution 1429 (2002)
of 30 July 2002

The Security Council,

Recalling all its resolutions on the question of Western Sahara, in particular resolutions 1359 (2001) of 29 June 2001 and 1394 (2002) of 27 February 2002,

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[265] S/2002/767.

[266] S/2002/766.

Stressing that in view of lack of progress in the settlement of the dispute over Western Sahara, the search for a political solution is critically needed,

Concerned that this lack of progress continues to cause suffering to the people of Western Sahara, remains a source of potential instability in the region and obstructs the economic development of the Maghreb region,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which would be of benefit to the Maghreb region,

Seeking to alleviate the consequences of conflict in Western Sahara and, accordingly, to secure the immediate release of prisoners of war and other detainees, to establish the fate of persons unaccounted for, and to repatriate refugees,

Determined to secure a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the purposes and principles of the Charter of the United Nations,

Expressing its continuing full support for the role and work of the Secretary-General and his Personal Envoy,

Commending the parties for their continuing commitment to the ceasefire, and welcoming the essential contribution which the United Nations Mission for the Referendum in Western Sahara is making in that regard,

Having considered the report of the Secretary-General of 19 February 2002 and the four options contained therein,[264]

Underlining the validity of the settlement plan,[257] while noting the fundamental differences between the parties in implementing the plan,

Noting the fundamental differences with regard to the four options contained in the report of the Secretary-General,

1. *Continues* to support strongly the efforts of the Secretary-General and his Personal Envoy to find a political solution to this long-standing dispute, invites the Personal Envoy to pursue these efforts taking into account the concerns expressed by the parties, and expresses its readiness to consider any approach which provides for self-determination that may be proposed by the Secretary-General and his Personal Envoy, consulting, as appropriate, others with relevant experience;

2. *Calls upon* all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;

3. *Calls upon* the parties to collaborate with the Office of the United Nations High Commissioner for Refugees in the implementation of confidence-building measures, and urges the international community to provide generous support to the Office of the High Commissioner and the World Food Programme in order to help them to overcome the deteriorating food situation among the refugees;

4. *Calls upon* Morocco and the Frente Popular para la Liberación de Saguía el-Hamra and Río de Oro to continue to cooperate with the efforts of the International Committee of the Red Cross to resolve the problem of the fate of all those unaccounted for since the beginning of the conflict;

5. *Welcomes* the release of 101 Moroccan prisoners of war, and calls upon the Frente Popular para la Liberación de Saguía el-Hamra and Río de Oro to release without further delay all remaining prisoners of war in compliance with international humanitarian law;

6. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 January 2003;

7. *Requests* the Secretary-General to submit a report on the situation, before the end of the present mandate, that contains any further proposal from the Secretary-General and his Personal Envoy together with recommendations pertaining to the most appropriate configuration of the Mission;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 4594th meeting.

THE SITUATION IN BURUNDI

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.*]

Decisions

At its 4285th meeting, on 2 March 2001, the Security Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[267]

> "The Security Council strongly condemns the recent attacks by armed groups in Burundi, particularly those launched on Bujumbura by the Forces nationales de libération. The timing of these actions is of particular concern since they were launched during the meeting of the parties to the Arusha Peace and Reconciliation Agreement for Burundi (the Arusha Agreement) convened by the Facilitator of the Burundi Peace Process, Mr. Nelson Mandela, on 25 February 2001 in Arusha, United Republic of Tanzania. The Council calls for the immediate cessation of these attacks.
>
> "The Council expresses its strong disapproval of all acts aimed at undermining the peace process in Burundi. The Council urges all sides to exercise restraint and to refrain from any action that may exacerbate the situation.
>
> "The Council condemns the deliberate targeting of the civilian population by the armed groups and calls upon all parties to abide by international humanitarian law and, in particular, to refrain from any further attacks or any military action that endangers the civilian population.
>
> "The Council reiterates its call upon the Forces nationales de libération and the Front for the Defence of Democracy to cease hostilities immediately and to join the peace process. The Council recalls the meeting in Libreville on 9 January 2001 between the President of the Republic of Burundi and the leader of the Front for the Defence of Democracy and urges the continuation of this process. The Council calls upon all the parties, including the armed groups, to engage in dialogue immediately so as to allow an early cessation of hostilities and an agreement on a permanent ceasefire to be reached.
>
> "The Council stresses the importance of providing urgent humanitarian assistance to civilians displaced by the hostilities, and calls upon all parties to guarantee safe and unhindered access by humanitarian personnel to those in need. The Council reiterates its request to the donor community to help the Government of Burundi, United Nations agencies and the humanitarian community to respond effectively to the needs of the population of Burundi. The Council also urges donors to deliver on the commitments made

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[267] S/PRST/2001/6.

at the International Donors Consultation Conference on Burundi held in Paris on 11 and 12 December 2000.

"The Council takes note of the scheme for power-sharing arrangements among parties to the Arusha Agreement worked out by the fourteenth Summit Meeting of the Regional Peace Initiative on Burundi, held in Arusha, United Republic of Tanzania, on 26 February 2001, and calls upon all the parties to reach early agreement on the outstanding issues related to the transitional power-sharing arrangements and to give their full cooperation to the Facilitator.

"The Council stresses that the key to achieving lasting peace in Burundi lies with the Burundian parties. It is convinced that compromise is the only means to resolve the conflict, and to this end urges all parties to work towards settling outstanding differences over the peace accord, and to proceed to its implementation.

"The Council reaffirms its full support for the continuing efforts of the Facilitator, and the Regional Peace Initiative to bring peace to Burundi. The Council also emphasizes the role of the Arusha Agreement Implementation Monitoring Committee in advancing the peace process. It takes note of the communiqué of the fourteenth Summit Meeting of the Regional Peace Initiative on Burundi. It also reiterates its readiness to consider practical ways in which it can best support the peace process and the implementation of the Arusha Agreement.

"The Council will remain seized of the matter."

At its 4297th meeting, held in private on 16 March 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4297th meeting, held in private on 16 March 2001, the Security Council considered the item entitled 'The situation in Burundi'.

"The President, with the consent of the Council, invited the representative of Burundi, at his request, to participate in the discussion of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The members of the Council and the representative of Burundi had a constructive discussion".

At its 4338th meeting, held in private on 27 June 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4338th meeting, held in private on 27 June 2001, the Security Council considered the item entitled 'The situation in Burundi'.

"The President extended an invitation in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council to Mr. Mathias Sinamenye, Second Vice-President of the Republic of Burundi.

"The Council heard a statement by Mr. Sinamenye."

At its 4341st meeting, on 29 June 2001, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[268]

"The Security Council calls for an immediate suspension of hostilities in Burundi.

"The Council calls upon the armed groups to enter into negotiations.

"The Council reiterates its profound concern at the continuation of the conflict in Burundi and its toll on the civilian population. In that context, the Council stresses once again its support for the Arusha peace process and the efforts of the Facilitator, Mr. Nelson Mandela.

"The Council strongly emphasizes to the parties to the Arusha Peace and Reconciliation Agreement for Burundi of 28 August 2000 (Arusha Agreement) the need to implement all the immediately applicable provisions of the Agreement, including the provisions for the establishment of new institutions.

"The Council calls upon the parties to the Arusha Agreement to continue searching, together with all parties concerned, for solutions to outstanding issues in the Agreement.

"The Council expresses grave concern at continuing human rights abuses and violations of humanitarian law, and stresses the need for all parties to ensure respect for human rights and humanitarian law. In particular, it urges the belligerents to commit themselves immediately to the protection of civilians, in particular their life, their physical integrity and the means necessary for their survival. It also reiterates its call for safe and unhindered access for the delivery of humanitarian aid to all people in need.

"The Council encourages the Secretary-General, through his representatives, to continue to engage the armed groups and to contribute to coordinated efforts to bring about a political settlement of the conflict.

"The Council reiterates its call to the donor community to increase its humanitarian and development assistance to the people of Burundi, in keeping with their pledges given at the International Donors Consultation Conference on Burundi held in Paris on 11and12 December 2000.

"The Council remains actively seized of the situation in Burundi and, in this context, will continue to receive regular reporting from the Secretariat on developments in and around the country. The Council stands ready to consider, in the light of progress in the above areas, further contributions to the peace process, and the implementation of the Arusha Agreement."

At its 4378th meeting, held in private on 20 September 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4378th meeting, held in private on 20 September 2001, the Security Council considered the item entitled 'The situation in Burundi'.

"The Council heard briefings under rule 39 of its provisional rules of procedure by the Representative of the Facilitator of the Burundi Peace Process, Mr. Mark Bomani, and the Representative of the Facilitator to the Arusha Agreement Implementation Monitoring Committee, Mr. Nicholas Haysom.

"The members of the Council had a constructive interactive discussion with the Representative of the Facilitator of the Burundi Peace Process and the Representative of the Facilitator to the Implementation Monitoring Committee".

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[268] S/PRST/2001/17.

At its 4383rd meeting, on 26 September 2001, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[269]

> "The Security Council reaffirms its strong support for the facilitation of former President Nelson Mandela and urges all Burundians of goodwill to join in the cause of peace, democracy and national reconciliation in their country. It also calls upon all parties to cooperate fully with the Arusha Agreement Implementation Monitoring Committee.
>
> "The Council looks forward to and strongly supports the installation on 1 November 2001 of the Transitional Government in Burundi. The Council believes that this event, the creation of a broad-based and inclusive government, will mark a critical turning point in the Burundi peace process. It will also encourage the donors to provide additional assistance, including by honouring fully the pledges they made during the International Donors Consultation Conference on Burundi held in Paris on 11 and 12 December 2000.
>
> "The Council calls upon the Burundian parties to reach agreement swiftly on the establishment of a special protection unit entrusted solely with the police function of providing personal security for politicians returning from exile. It welcomes the convening by the Facilitation of a pre-implementation stakeholders meeting in Arusha and urges the international community to provide, on an urgent basis, support for the training and deployment of this special protection unit.
>
> "Deeply concerned by the recent increase in violence, the Council recalls the urgent need to bring about a negotiated settlement of the conflict and calls upon the Facilitation, the Regional Peace Initiative on Burundi, the Government of Burundi, the signatory parties and the armed groups to devote their full attention to the achievement of a definitive ceasefire. The Council once again calls upon the Front for the Defence of Democracy and Forces nationales de libération to suspend hostilities, to continue negotiations and to join the peace process. The Council believes that the installation of a broad-based government on the basis of an internationally sanctioned peace process makes armed rebellion an unacceptable means of political expression. It calls upon the Forces nationales de libération and the Front for the Defence of Democracy, together with the Government of Burundi, to observe strictly the rights of the civilian population and other provisions of international humanitarian law.
>
> "The Council calls upon all States, in particular those in the region, to cease all forms of support to the Forces nationales de libération and the Front for the Defence of Democracy, and urges all Member States to encourage the armed groups to join the peace process.
>
> "The Council calls upon the States of the Regional Peace Initiative to mark the installation of the transitional government by further enhancing their bilateral and regional cooperation with the new government. The Council believes that this cooperation is particularly important in the area of regional security and calls upon the Governments of Burundi and neighbouring States to increase their cooperation in this regard.
>
> "The Council expresses its concern at the deteriorating humanitarian situation and calls upon all parties to create the conditions for the voluntary return of refugees and for the safe and unhindered activities of the humanitarian relief community. It also calls upon the donor community to increase its humanitarian assistance to Burundi and to accelerate delivery thereof."

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[269] S/PRST/2001/26.

At its 4399th meeting, on 29 October 2001, the Council considered the item entitled "The situation in Burundi".

Resolution 1375 (2001)
of 29 October 2001

The Security Council,

Recalling all its resolutions and the statements by its President on the situation in Burundi, in particular the statement by its President of 26 September 2001,[269]

Reaffirming that the Arusha Peace and Reconciliation Agreement for Burundi of 28 August 2000 (Arusha Agreement) remains the most viable basis for a resolution of the conflict, together with the continued efforts to build an internal political partnership in Burundi,

Expressing deep concern at the ongoing violence and insecurity in Burundi,

Noting with concern the implications of the situation in Burundi for the region as well as the consequences for Burundi of continued regional instability,

Reiterating its strong support for the facilitation of former President Nelson Mandela in his efforts to achieve a peaceful solution to the conflict in Burundi,

Supporting the efforts of the Secretary-General to enhance the role of the United Nations in Burundi, in particular the continued work of his Special Representative for the Great Lakes region, as well as in his capacity as Chairman of the Arusha Agreement Implementation Monitoring Committee,

Commending the continued efforts of and support from the Organization of African Unity/African Union for a peaceful resolution of the conflict,

Welcoming the agreement reached at the Summit of the Regional Peace Initiative on Burundi, on 11 October 2001 in Pretoria, South Africa, on the legal framework and the structure of the Transitional Government, and the composition of the Cabinet, the Senate and the Transitional National Assembly,

Welcoming also the letter dated 23 October 2001 from the Minister for Foreign Affairs of South Africa addressed to the President of the Security Council and the letter annexed thereto dated 22 October 2001 from the President of Burundi addressed to the President of South Africa,[270]

1. *Reaffirms its strong support* for the installation on 1 November 2001 of the transitional government in Burundi;

2. *Calls upon* the parties to the Arusha Agreement and the armed groups, namely the Front for the Defence of Democracy and Forces nationales de libération, to put an end immediately to all acts of violence against civilians;

3. *Calls upon* the Front for the Defence of Democracy and Forces nationales de libération to cease immediately all hostilities, enter into negotiations and join the peace process, and calls upon all the States of the region to support fully the process;

4. *Endorses* the efforts of the Government of South Africa and other Member States to support the implementation of the Arusha Agreement, and strongly supports in this regard the establishment of an interim multinational security presence in Burundi, at the request of its Government, to protect returning political leaders and train an all-Burundian protection force;

5. *Requests* the Government of Burundi to keep the Security Council informed of progress to establish an all-Burundian protection force;

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[270] S/2001/1013.

6. *Reiterates its willingness* to consider, in the light of progress in the peace process, further contributions to the peace process and the implementation of the Arusha Agreement;

7. *Urges* the international community, with the installation of the Transitional Government, to provide additional assistance, including by honouring fully the pledges made by donors during the International Donors Consultation Conference on Burundi held in Paris on 11 and 12 December 2000;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4399th meeting.

Decisions

At its 4406th meeting, on 8 November 2001, the Security Council decided to invite the representatives of, Burundi, Democratic Republic of the Congo, Ethiopia, Gabon, Ghana, Kenya, Nigeria, Rwanda, Senegal, South Africa, Uganda, United Republic of Tanzania and Zambia to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Berhanu Dinka, Special Representative of the Secretary-General for the Great Lakes Region and Chairman of the Arusha Agreement Implementation Monitoring Committee, and Mr. Amadou Kébé, Permanent Observer of the Organization of the African Unity/African Union to the United Nations.

At its 4407th meeting, held in private on 8 November 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4407th meeting, held in private on 8 November 2001, the Security Council continued its consideration of the situation in Burundi.
>
> "The President extended invitations in accordance with the relevant provisions of the Charter of the United Nations and rules 37 and 39 of the provisional rules of procedure of the Council, as appropriate, to the members of the Regional Peace Initiative on Burundi, as well as the Special Representative of the Secretary-General for the Great Lakes Region and Chairman of the Arusha Agreement Implementation Monitoring Committee and the Permanent Observer of the Organization of African Unity/African Union to the United Nations.
>
> "The members of the Council and the members of the Regional Peace Initiative on Burundi had a frank and constructive discussion."

At its 4408th meeting, on 8 November 2001, the Council considered the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[271]

> "The Security Council welcomes the inauguration on 1 November 2001 of the Transitional Government of Burundi and calls upon all Burundians to support it and to work together to ensure the success of this broad-based and inclusive government in fulfilling its functions in accordance with the agreements that led to its establishment.
>
> "The Council welcomes the continued engagement of the Regional Peace Initiative on Burundi and, in this regard, also welcomes the deployment of the first elements of the multinational security presence tasked with the protection of returning political leaders. The

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[271] S/PRST/2001/33.

Council calls upon all the Burundian parties to support this undertaking, and expresses its gratitude to the Government of South Africa for its contribution to the cause of peace in Burundi.

"The Council expresses its deep appreciation to former President Nelson Mandela for his dedicated service as Facilitator of the Arusha Peace Process, and reiterates its hope that the region and the international community may continue to rely on his moral leadership. The Council welcomes the efforts of the Secretary-General and his Special Representative for the Great Lakes, through the Arusha Agreement Implementation Monitoring Committee.

"The Council condemns the recent attacks by the Front for the Defence of Democracy and Forces de libération nationale on civilians, and is gravely concerned that the frequency of such attacks has increased. The Council once again states that the installation of a broad-based government in accordance with an internationally supported peace process makes armed rebellion an unacceptable means of political expression.

"The Council reiterates its call for an immediate suspension of hostilities in Burundi and for the armed groups to enter into negotiations to reach a definitive ceasefire, which is the priority issue. In this regard, the Council welcomes the involvement of President Omar Bongo of Gabon and Deputy President Jacob Zuma of South Africa and expresses its full support for their efforts.

"The Council expresses its concern at the human rights and humanitarian situation in Burundi and once again calls upon the parties responsible to ensure full compliance with the relevant international conventions.

"The Council calls upon the international community to increase its humanitarian assistance as well as to assist in Burundi's economic recovery and development through, inter alia, honouring the pledges made at the International Donors Consultation Conference on Burundi held in Paris on 11 and 12 December 2000."

At its 4416th meeting, held in private on 15 November 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4416th meeting, held in private on 15 November 2001, the Security Council considered the situation in Burundi.

"The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Nelson Mandela, Facilitator of the Burundi Peace Process.

"The Council had a useful exchange of views with Mr. Mandela on the peace process and issues relating to the implementation of the peace agreement.

"The members of the Council thanked Mr. Mandela for coming to New York to brief the Council and commended his efforts on behalf of peace in Burundi."

At its 4417th meeting, on 15 November 2001, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[272]

"The Security Council expresses its deep gratitude to Madiba Nelson Mandela, of South Africa, for his dedicated service to the people of Burundi and the cause of peace in Central Africa. Building on the work of his predecessor, the late Mwalimu Julius Nyerere, of the United Republic of Tanzania, Madiba has helped to give Burundi a chance for lasting peace, democracy, economic development and national reconciliation.

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[272] S/PRST/2001/35.

"The Council had, in the statement by its President of 8 November 2001,[271] welcomed the inauguration on 1 November 2001 of the Transitional Government of Burundi and expressed its appreciation for the instrumental role played by Madiba towards the creation of the Transitional Government. The Council had also expressed the hope that the region and the international community could continue to rely on his moral leadership and ingenious spirit, which are essential to progress towards peace in Burundi.

"The Council acknowledges the sterling contribution of Madiba, as Facilitator of the Burundi Peace Process, in bringing together all the parties, including the armed groups, to engage in dialogue in order to facilitate an early cessation of hostilities in accordance with the Arusha Peace and Reconciliation Agreement for Burundi. The Council commends Madiba for his tenacity and unwavering commitment towards political reconciliation in Burundi.

"The Council expresses its appreciation to Madiba and the South African Government for initiating the deployment of the first elements of the multinational security presence tasked with the protection of returning political leaders, without which the conditions would not have been conducive to the inauguration of the Transitional Government of Burundi. These key successes have confirmed the trust and confidence which the Council and the international community have always had in Madiba.

"The Council expresses its concern about the recent increase in violence and reiterates its call for an immediate cessation of hostilities in Burundi. The Council calls upon all Burundians to reject violence and to pursue their objectives through the institutions and mechanisms of the transition process. The Council appeals to all Burundians and States Members of the United Nations to build on the momentum created through the efforts of Madiba and to support the Regional Peace Initiative on Burundi, the Transitional Government and the Arusha Agreement Implementation Monitoring Committee."

On 7 December 2001, the President of the Security Council addressed the following letter to the Secretary-General:[273]

"The members of the Security Council have taken note of the information contained in your report of 14 November 2001[274], in particular that concerning the United Nations Office in Burundi. They support your proposal to strengthen the Office, to help to implement the Arusha Peace and Reconciliation Agreement for Burundi."

At its 4467th meeting, on 5 February 2002, the Council decided to invite Major Pierre Buyoya, President of the Republic of Burundi, to take a seat at the Council table in the discussion of the item entitled "The situation in Burundi".

At its 4468th meeting, held in private on 5 February 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4468th meeting, held in private on 5 February 2002, the Security Council considered the item entitled 'The situation in Burundi'. The President, with the consent of the Council, extended an invitation to Major Pierre Buyoya, President of the Republic of Burundi.

"The members of the Council and the President of the Republic of Burundi had a constructive discussion."

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[273] S/2001/1207.

[274] S/2001/1076.

At its 4471st meeting, on 7 February 2002, the Council considered the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[275]

"The Security Council pays tribute to the signatories to the Arusha Peace and Reconciliation Agreement for Burundi, and to the transitional President, Major Pierre Buyoya, in particular, for their efforts to advance the peace process. It expresses its full support for the Transitional Government set up on the basis of the Agreement, which was represented by President Buyoya at the meetings of the Council on 5 February 2002.[276] The Council reiterates its gratitude for the facilitation efforts of former President Nelson Mandela. It also expresses its support for the ongoing efforts of President Omar Bongo of Gabon and Deputy President Jacob Zuma of South Africa, as well as States in the region and South Africa, to facilitate the implementation of the Arusha Agreement.

"The Council reaffirms that continued fighting against the legitimate Transitional Government set up pursuant to an inclusive peace agreement is totally unjustifiable and unacceptable, and threatens the implementation of the peace process. It calls once more upon the rebel groups immediately to lay down arms in the interest of all Burundians and recalls that only a negotiated solution will finally end the fighting. In this connection, the Council commends the commitment of the Transitional Government to enter into ceasefire negotiations and pays tribute to the efforts made to that end by the facilitation team and, in coordination with the latter, by the States in the region, particularly United Republic of Tanzania. The Council emphasizes that it is now up to the rebel groups to do their part. It calls upon them immediately to translate into action the encouraging signals that they have given recently. It emphasizes further that, while the transition is moving ahead according to the established time frame, time is of the essence for the rebels finally to join the peace process.

"The Council welcomes the steps taken by the Governments of Burundi and the Democratic Republic of the Congo to normalize their relations. In this regard, it also welcomes the joint communiqué they issued on 7 January 2002.[277] It calls upon them to implement as soon as possible the elements agreed upon in that communiqué, and in particular to ensure that the territory of the Democratic Republic of the Congo will not be used for armed attacks against Burundi, and to proceed to the effective withdrawal of Burundian troops from Congolese territory.

"The Council emphasizes that national reconstruction and economic recovery are the other main challenges which the Burundi peace process must overcome in order to place itself on a stronger footing. The Council stresses the important role of the international community in this regard and calls upon donor countries to honour as soon as possible the pledges which they made at the International Donors Consultation Conference on Burundi held in Paris on 11 and 12 December 2000 and the International Donors Conference held in Geneva, Switzerland, on 7 December 2001, as well as upon the United Nations system as a whole to support the Transitional Government for the reconstruction of the country."

On 2 July 2002, the President of the Security Council addressed the following letter to the Secretary-General:[278]

"I have the honour to inform you that your letter dated 27 June 2002 concerning your decision to appoint Mr. Berhanu Dinka as your Special Representative for Burundi effective

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[275] S/PRST/2002/3.

[276] S/PV. 4467 and S/PV. 4468.

[277] S/2002/36.

[278] S/2002/720.

1 July 2002[279] has been brought to the attention of the members of the Security Council. They take note of your decision and look forward to your proposal for a successor to Mr. Dinka as Special Representative of the Secretary-General for the Great Lakes region."

THE SITUATION IN LIBERIA

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1991.*]

Decision

At its 4287th meeting, on 7 March 2001, the Security Council considered the item entitled "The situation in Liberia".

Resolution 1343 (2001)
of 7 March 2001

The Security Council,

Recalling its resolutions 1132 (1997) of 8 October 1997, 1171 (1998) of 5 June 1998, 1306 (2000) of 5 July 2000 and its other resolutions and the statements by its President on the situation in Sierra Leone and the region,

Welcoming General Assembly resolution 55/56 of 1 December 2000, in particular the call by the Assembly for measures engaging all concerned parties, including diamond producing, processing, exporting and importing countries as well as the diamond industry, to break the link between diamonds and armed conflict, and its call upon all States to implement fully Security Council measures targeting the link between the trade in conflict diamonds and the supply to rebel movements of weapons, fuel or other prohibited materiel,

Taking note of the report of the Panel of Experts appointed pursuant to resolution 1306 (2000), paragraph 19, in relation to Sierra Leone,[280]

Taking note also of the findings of the Panel of Experts there that diamonds represent a major and primary source of income for the Revolutionary United Front, that the bulk of those diamonds leave Sierra Leone through Liberia and that such illicit trade cannot be conducted without the permission and involvement of Liberian government officials at the highest levels and expressing its deep concern at the unequivocal and overwhelming evidence presented in the report of the Panel of Experts that the Government of Liberia is actively supporting the Revolutionary United Front at all levels,

Recalling the Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, adopted in Abuja on 31 October 1998, by the heads of State and Government of the Economic Community of West African States,[281]

Taking note of the measures announced by the Government of Liberia since the publication of the report of the Panel of Experts, and welcoming the intention of the Economic Community of West African States to monitor their implementation in close cooperation with the United Nations, and to report thereon after a period of two months,

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[279] S/2002/719.

[280] See S/2000/1195.

[281] S/1998/1194, annex.

Recalling its concern, already expressed in resolution 1306 (2000), at the role played by the illicit trade in diamonds in fuelling the conflict in Sierra Leone and at reports that such diamonds transit neighbouring countries, including Liberia,

Reiterating its call, made in the statement by its President of 21 December 2000,[282] upon all States in West Africa, particularly Liberia, immediately to cease military support for armed groups in neighbouring countries and to prevent armed individuals using their national territory to prepare and commit attacks in neighbouring countries,

Determining that the active support provided by the Government of Liberia for armed rebel groups in neighbouring countries, in particular its support for the Revolutionary United Front in Sierra Leone, constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

A

Recalling its resolutions 788 (1992) of 19 November 1992 and 985 (1995) of 13 April 1995,

Noting that the conflict in Liberia has been resolved, that national elections have taken place within the framework of the Yamoussoukro IV Agreement of 30 October 1991[283] and that the Final Communiqué of the informal consultative group meeting of the Committee of Five of the Economic Community of West African States on Liberia, issued in Geneva on 7 April 1992,[284] has been implemented, and determining therefore that the embargo imposed by paragraph 8 of resolution 788 (1992) should be terminated,

1. *Decides* to terminate the prohibitions imposed by paragraph 8 of resolution 788 (1992) and to dissolve the Security Council Committee established pursuant to resolution 985 (1995);

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2. *Demands* that the Government of Liberia immediately cease its support for the Revolutionary United Front in Sierra Leone and for other armed rebel groups in the region, and in particular that it take the following concrete steps:

(*a*) Expel all members of the Revolutionary United Front from Liberia, including such individuals as are listed by the committee established by paragraph 14 below, and prohibit all activities of the Revolutionary United Front on its territory, provided that nothing in the present paragraph shall oblige Liberia to expel its own nationals from its territory;

(*b*) Cease all financial and, in accordance with resolution 1171 (1998), military support to the Revolutionary United Front, including all transfers of arms and ammunition, all military training and the provision of logistical and communications support, and take steps to ensure that no such support is provided from the territory of Liberia or by its nationals;

(*c*) Cease all direct or indirect import of Sierra Leone rough diamonds which are not controlled through the certificate-of-origin regime of the Government of Sierra Leone, in accordance with resolution 1306 (2000);

(*d*) Freeze funds or financial resources or assets that are made available by its nationals or within its territory directly or indirectly for the benefit of the Revolutionary United Front or entities owned or controlled directly or indirectly by the Revolutionary United Front;

(*e*) Ground all Liberian-registered aircraft operating within its jurisdiction until it updates its register of aircraft pursuant to annex VII to the Convention on International Civil Aviation, signed at Chicago, United States of America, on 7 December 1944, and provides to the Council the updated information concerning the registration and ownership of each aircraft registered in Liberia;

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[282] S/PRST/2000/41.

[283] S/24815, annex.

[284] S/23863, annex.

3. *Stresses* that the demands set out in paragraph 2 above are intended to lead to further progress in the peace process in Sierra Leone, and, in that regard, calls upon the President of Liberia to help to ensure that the Revolutionary United Front meets the following objectives:

(*a*) Allow the United Nations Mission in Sierra Leone free access throughout Sierra Leone;

(*b*) Release all abductees;

(*c*) Enter their fighters in the disarmament, demobilization and reintegration process;

(*d*) Return all weapons and other equipment seized from the Mission;

4. *Demands* that all States in the region take action to prevent armed individuals and groups using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation on the borders between Guinea, Liberia and Sierra Leone;

5. (*a*) *Decides* that all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories;

(*b*) *Decides also* that all States shall take the necessary measures to prevent any provision to Liberia by their nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items referred to in subparagraph (*a*) above;

(*c*) *Decides further* that the measures imposed by subparagraphs (*a*) and (*b*) above shall not apply to supplies of non-lethal military equipment, intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the committee established by paragraph 14 below;

(*d*) *Affirms* that the measures imposed by subparagraph (*a*) above do not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

6. *Decides* that all States shall take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia, whether or not such diamonds originated in Liberia;

7. (*a*) *Decides also* that all States shall take the necessary measures to prevent the entry into or transit through their territories of senior members of the Government of Liberia and its armed forces and their spouses, as well as any other individuals providing financial and military support to armed rebel groups in countries neighbouring Liberia, in particular the Revolutionary United Front in Sierra Leone, as designated by the committee established by paragraph 14 below, provided that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory, and provided that nothing in the present paragraph shall impede the transit of representatives of the Government of Liberia to United Nations Headquarters to conduct United Nations business or the participation of the Government of Liberia in the official meetings of the Mano River Union, the Economic Community of West African States and the Organization of African Unity;

(*b*) *Decides further* that the measures imposed by subparagraph (*a*) above shall not apply where the committee established by paragraph 14 below determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the committee concludes that exemption would otherwise promote Liberian compliance with the demands of the Council or assist in the peaceful resolution of the conflict in the subregion;

8. *Decides* that the measures imposed by paragraphs 6 and 7 above shall come into force at 0001 hours eastern daylight time, two months after the date of adoption of the present resolution, unless the Council determines before that date that the Government of Liberia has complied with the demands set out in paragraph 2 above, taking into account the report of the Secretary-General referred to in paragraph 12 below, input from the Economic Community of West African States, relevant information provided by the committee established by paragraph 14 below and the Security Council Committee established pursuant to resolution 1132 (1997) and any other relevant information;

9. *Decides also* that the measures imposed by paragraph 5 above are established for fourteen months and that, at the end of that period, the Council will decide whether the Government of Liberia has complied with the demands set out in paragraph 2 above and, accordingly, whether to extend these measures for a further period with the same conditions;

10. *Decides further* that the measures imposed by paragraphs 6 and 7 above are established for a period of twelve months, and that at the end of this period the Council will decide whether the Government of Liberia has complied with the demands set out in paragraph 2 above and, accordingly, whether to extend these measures for a further period with the same conditions;

11. *Decides* that the measures imposed by paragraphs 5 to 7 above shall be terminated immediately if the Council, taking into account, inter alia, the reports of the Panel of Experts referred to in paragraph 19 below and of the Secretary-General referred to in paragraph 12 below, input from the Economic Community of West African States, any relevant information provided by the committee established by paragraph 14 below and the Committee established pursuant to resolution 1132 (1997) and any other relevant information, determines that the Government of Liberia has complied with the demands set out in paragraph 2 above;

12. *Requests* the Secretary-General to submit a first report to the Council by 30 April 2001 and thereafter at six-month intervals from that date, drawing on information from all relevant sources, including the United Nations Office in Liberia, the Mission and the Economic Community of West African States, on whether Liberia has complied with the demands set out in paragraph 2 above and on any progress made towards the objectives set out in paragraph 3 above, and calls upon the Government of Liberia to support United Nations efforts to verify all information on compliance which is brought to the notice of the United Nations;

13. *Also requests* the Secretary-General to provide to the Council six months from the date of the adoption of the present resolution:

(*a*) A preliminary assessment of the potential economic, humanitarian and social impact on the Liberian population of possible follow-up action by the Council in the areas of investigation indicated in paragraph 19 (*c*) below;

(*b*) A report on the steps taken by the Government of Liberia to improve its capacity in air traffic control and surveillance, in accordance with the recommendations of the Panel of Experts established pursuant to resolution 1306 (2000), and any advice which may be provided by the International Civil Aviation Organization;

14. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(*a*) To seek from all States information regarding the actions taken by them to implement effectively the measures imposed by paragraphs 5 to 7 above, and thereafter to request from them whatever further information it may consider necessary;

(*b*) To consider, and to take appropriate action on, information brought to its attention by States concerning alleged violations of the measures imposed by paragraphs 5 to 7 above, identifying where possible persons or entities, including vessels or aircraft, reported to be engaged in such violations, and to make periodic reports to the Council;

(*c*) To promulgate expeditiously such guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraphs 5 to 7 above;

(*d*) To give consideration to and decide upon requests for the exemptions set out in paragraphs 5 (*c*) and 7 (*b*) above;

(*e*) To designate the individuals subject to the measures imposed by paragraph 7 above and to update the list regularly;

(*f*) To make information it considers relevant, including the list referred to in subparagraph (*e*) above, publicly available through appropriate media, including through the improved use of information technology;

(*g*) To make recommendations to the Council on ways to increase the effectiveness of the measures imposed by paragraphs 5 to 7 above and on ways to limit unintended effects, if any, of those measures on the Liberian population;

(*h*) To cooperate with other relevant Security Council sanctions committees, in particular the Committee established pursuant to resolution 1132 (1997) and the Committee established pursuant to resolution 864 (1993) of 15 September 1993;

(*i*) To establish a list of members of the Revolutionary United Front present in Liberia, as referred to in paragraph 2 (*a*) above;

15. *Calls upon* the Government of Liberia to establish an effective certificate-of-origin regime for trade in rough diamonds that is transparent and internationally verifiable and has been approved by the Committee established by paragraph 14 above, to come into operation after the measures imposed by paragraphs 5 to 7 above have been terminated in accordance with the present resolution;

16. *Urges* all diamond exporting countries in West Africa to establish certificate-of-origin regimes for the trade in rough diamonds similar to that adopted by the Government of Sierra Leone, as recommended by the Panel of Experts established pursuant to resolution 1306 (2000), and calls upon States, relevant international organizations and other bodies in a position to do so to offer assistance to those Governments to that end;

17. *Calls upon* the international community to provide the necessary assistance to reinforce the fight against the proliferation of and illicit trafficking in light weapons in West Africa, in particular the implementation of the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa of the Economic Community of West African States,[281] and to improve air traffic control in the West African subregion;

18. *Requests* all States to report to the Committee established by paragraph 14 above, within thirty days of the promulgation of the list referred to in paragraph 14 (*e*) above, on the actions they have taken to implement the measures imposed by paragraphs 5 to 7 above;

19. *Requests* the Secretary-General to establish, within one month from the date of adoption of the present resolution, in consultation with the Committee established by paragraph 14 above, a Panel of Experts for a period of six months consisting of no more than five members, drawing, as much as possible and as appropriate, on the expertise of the members of the Panel of Experts established pursuant to resolution 1306 (2000), with the following mandate:

(*a*) To investigate any violations of the measures imposed by paragraphs 5 to 7 above;

(*b*) To collect any information on the compliance by the Government of Liberia with the demands set out in paragraph 2 above, including any violations by the Government of Liberia of the measures imposed by paragraph 2 of resolution 1171 (1998) and paragraph 1 of resolution 1306 (2000);

(*c*) To further investigate possible links between the exploitation of natural resources and other forms of economic activity in Liberia, and the fuelling of conflict in Sierra Leone and neighbouring countries, in particular those areas highlighted by the report of the Panel of Experts established pursuant to resolution 1306 (2000);[280]

(*d*) To collect any information linked to the illegal activities of the individuals referred to in paragraph 21 below and to any other alleged violations of the present resolution;

(*e*) To report to the Council through the Committee established by paragraph 14 above, no later than six months from the date of adoption of the present resolution, with observations and recommendations in the areas set out in subparagraphs (*a*) to (*d*) above;

(*f*) To keep the Committee established by paragraph 14 above updated on its activities, as appropriate; and also requests the Secretary-General to provide the necessary resources;

20. *Requests* the Panel of Experts referred to in paragraph 19 above, as far as possible, to bring any relevant information collected in the course of the investigations conducted in accordance with its mandate to the attention of the States concerned for prompt and thorough investigation and, where appropriate, corrective action, and to allow them the right of reply;

21. *Calls upon* all States to take appropriate measures to ensure that individuals and companies in their jurisdiction, in particular those referred to in the report of the Panel of Experts established pursuant to resolution 1306 (2000), act in conformity with United Nations embargoes, in particular those established pursuant to resolutions 1171 (1998), 1306 (2000) and the present resolution, and, as appropriate, to take the necessary judicial and administrative action to end any illegal activities by those individuals and companies;

22. *Calls upon* all States and all relevant international and regional organizations to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations entered into or any licence or permit granted prior to the date of adoption of the present resolution;

23. *Decides* to conduct reviews of the measures imposed by paragraphs 5 to 7 above no later than sixty days after the adoption of the present resolution, and every six months thereafter;

24. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee established by paragraph 14 above and the Panel of Experts referred to in paragraph 19 above, including by supplying information on possible violations of the measures imposed by paragraphs 5 to 7 above;

25. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4287th meeting.

Decisions

On 18 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[285]

> "I have the honour to inform you that your letter dated 12 October 2001 concerning your recommendation that the current mandate of the United Nations Peace-building Support Office in Liberia, which expires on 31 December 2001, be extended until

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[285] S/2001/982.

31 December 2002,[286] has been brought to the attention of the members of the Security Council. They take note of the recommendation contained in your letter."

At its 4405th meeting, on 5 November 2001, the Council decided to invite the representatives of Belgium, Guinea, Liberia and Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Letter dated 26 October 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council (S/2001/1015)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kishore Mahbubani, Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, and Mr. Edward Tsui, Director of the Office for the Coordination of Humanitarian Affairs of the Secretariat.

On 4 January 2002, the President of the Security Council addressed the following letter to the Secretary-General:[287]

> "I have the honour to inform you that your letter dated 31 December 2001 concerning your intention to appoint Mr. Haile Menkerios as your new Representative in Liberia and Head of the United Nations Peace-building Support Office in Liberia as of 1 February 2002[288] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4481st meeting, on 27 February 2002, the Council considered the item entitled "The situation in Liberia".

Resolution 1395 (2002)
of 27 February 2002

The Security Council,

Reaffirming its resolution 1343 (2001) of 7 March 2001,

Noting that the next six-monthly review by the Council of the measures imposed by paragraphs 5 to 7 of resolution 1343 (2001) is scheduled to take place on or before 6 May 2002,

Recognizing the importance of monitoring the implementation of the provisions contained in resolution 1343 (2001),

1. *Takes note* of the report of the Panel of Experts concerning Liberia of 26 October 2001,[289] submitted pursuant to paragraph 19 of resolution 1343 (2001);

2. *Expresses its intention* to give full consideration to the report;

3. *Decides*, in the meanwhile, to re-establish the Panel of Experts for a further period of five weeks commencing no later than 11 March 2002;

4. *Requests* the Panel of Experts to conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a brief independent audit of the compliance by the Government of Liberia with paragraph 2 and of any violations of paragraphs 5

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[286] S/2001/981.

[287] S/2002/24.

[288] S/2002/23.

[289] S/2001/1015, annex.

to 7 of resolution 1343 (2001), and to report to the Council through the Security Council Committee established by paragraph 14 of resolution 1343 (2001) no later than 8 April 2002 with the observations and recommendations of the Panel in relation to the tasks set out herein;

5. *Requests* the Secretary-General, upon the adoption of the present resolution and acting in consultation with the Committee established pursuant to resolution 1343 (2001), to appoint no more than five experts, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts, and also requests the Secretary-General to make the necessary financial arrangements to support the work of the Panel;

6. *Calls upon* all States to cooperate fully with the Panel of Experts appointed under paragraph 5 above, in the discharge of its mandate;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4481st meeting.

Decision

At its 4526th meeting, on 6 May 2002, the Security Council considered the item entitled:

"The situation in Liberia

> "Letter dated 19 April 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council (S/2002/470).
>
> "Third report of the Secretary-General pursuant to resolution 1343 (2001) regarding Liberia (S/2002/494)".

Resolution 1408 (2002)
of 6 May 2002

The Security Council,

Recalling its resolutions 1132 (1997) of 8 October 1997, 1171 (1998) of 5 June 1998, 1306 (2000) of 5 July 2000, 1343 (2001) of 7 March 2001, 1385 (2001) of 19 December 2001, 1395 (2002) of 27 February 2002, 1400 (2002) of 28 March 2002 and its other resolutions and the statements by its President on the situation in the region,

Taking note of the report of the Secretary-General of 1 May 2002,[290]

Taking note also of the reports of the Panel of Experts concerning Liberia of 26 October 2001[289] and 19 April 2002,[291] submitted pursuant to paragraph 19 of resolution 1343 (2001) and paragraph 4 of resolution 1395 (2002) respectively,

Expressing serious concern at the findings of the Panel of Experts regarding the actions of the Government of Liberia, including the evidence that the Government of Liberia continues to breach the measures imposed pursuant to resolution 1343 (2001), particularly through the acquisition of arms,

Welcoming General Assembly resolution 56/263 of 13 March 2002, looking forward to the full implementation of the international certification scheme proposed by the Kimberley Process as soon as possible, and recalling its concern at the role played by the illicit trade in diamonds in the conflict in the region,

Welcoming also the summit meeting of the Presidents of the Mano River Union, held in Rabat on 27 February 2002 at the invitation of the King of Morocco, and the continued efforts of the Economic Community of West African States to work towards the restoration of peace and stability in the region,

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[290] S/2002/494.

[291] S/2002/470, annex.

Welcoming further the conference sponsored by the Economic Community of West African States on political dialogue in Liberia held in Abuja, on 14 March 2002, in particular the involvement of civil society, and encouraging the participation of all Liberian parties in the proposed Liberian National Conference on Peace and Reconciliation, to be held in Monrovia in July 2002, as a means of promoting the conditions for free, fair, transparent and inclusive elections in 2003,

Encouraging civil society initiatives in the region, including those of the Mano River Women's Peace Network, to continue their contribution towards regional peace,

Calling upon the Government of Liberia to cooperate fully with the Special Court for Sierra Leone when it is established,

Recalling the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted in Abuja on 31 October 1998 by the heads of State and Government of the Economic Community of West African States,[281] and its extension from 5 July 2001,[292]

Determining that the active support provided by the Government of Liberia to armed rebel groups in the region, in particular to former combatants of the Revolutionary United Front who continue to destabilize the region, constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the Government of Liberia has not complied fully with the demands set out in paragraphs 2 (*a*) to (*d*) of resolution 1343 (2001);

2. *Notes with satisfaction* the updated information provided by the Government of Liberia to the Panel of Experts concerning the registration and ownership of each aircraft registered in Liberia[289] and the steps taken by the Government of Liberia to update its register of aircraft pursuant to annex VII to the Convention on International Civil Aviation, signed at Chicago, United States of America, on 7 December 1944, in compliance with the demand set out in paragraph 2 (*e*) of resolution 1343 (2001);

3. *Stresses* that the demands referred to in paragraph 1 above are intended to lead to consolidation of the peace process in Sierra Leone and to further progress in the peace process in the Mano River Union, and in that regard calls upon the President of Liberia to continue to participate in the meetings of the Presidents of the Mano River Union and to implement fully his commitments to building regional peace and security, as set out in the communiqué of the summit meeting of the Presidents of the Mano River Union ;

4. *Demands* that all States in the region cease military support for armed groups in neighbouring countries, take action to prevent armed individuals and groups using their territory to prepare and commit attacks on neighbouring countries and refrain from any actions that might contribute to further destabilization of the situation on the borders between Guinea, Liberia and Sierra Leone;

5. *Decides* that the measures imposed by paragraphs 5 to 7 of resolution 1343 (2001) shall remain in force for a further period of twelve months from 0001 hours eastern daylight time on 7 May 2002, and that, at the end of this period, the Security Council will decide whether the Government of Liberia has complied with the demands referred to in paragraph 1 above, and, accordingly, whether to extend these measures for a further period with the same conditions;

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[292] S/2001/700, annex.

6. *Decides also* that the measures referred to in paragraph 5 above shall be terminated immediately if the Council, taking into account, inter alia, the reports of the Panel of Experts referred to in paragraph 16 below and the report of the Secretary-General referred to in paragraph 11 below, input from the Economic Community of West African States, any relevant information provided by the Security Council Committee established pursuant to paragraph 14 of resolution 1343 (2001) (the Committee) and the Security Council Committee established pursuant to resolution 1132 (1997) and any other relevant information, determines that the Government of Liberia has complied with the demands referred to in paragraph 1 above;

7. *Reiterates its call upon* the Government of Liberia to establish an effective certificate-of-origin regime for Liberian rough diamonds that is transparent and internationally verifiable, bearing in mind the plans for the international certification scheme under the Kimberley Process, and to provide the Committee with a detailed description of the proposed regime;

8 *Decides*, notwithstanding paragraph 15 of resolution 1343 (2001), that rough diamonds controlled by the Government of Liberia through the certificate-of-origin regime shall be exempt from the measures imposed by paragraph 6 of resolution 1343 (2001) when the Committee has reported to the Council, taking into account expert advice obtained through the Secretary-General that an effective and internationally verifiable regime is ready to become fully operational;

9. *Calls again upon* States, relevant international organizations and other bodies in a position to do so to offer assistance to the Government of Liberia and other diamond exporting countries in West Africa with their certificate-of-origin regimes;

10. *Calls upon* the Government of Liberia to take urgent steps, including through the establishment of transparent and internationally verifiable audit regimes, to ensure that revenue derived by the Government of Liberia from the Liberia Shipping Registry and the Liberian timber industry is used for legitimate social, humanitarian and development purposes, and that it is not used in violation of the present resolution, and to report back to the Committee on the steps taken and on the results of such audits no later than three months after the date of adoption of the present resolution;

11. *Requests* the Secretary-General to submit a report to the Council by 21 October 2002, and thereafter at six-monthly intervals, drawing on information from all relevant sources, including the United Nations Office in Liberia, the United Nations Mission in Sierra Leone and the Economic Community of West African States, on whether Liberia has complied with the demands referred to in paragraph 1 above, and calls upon the Government of Liberia to support United Nations efforts to verify all information on compliance which is brought to the notice of the United Nations;

12. *Invites* the Economic Community of West African States to report regularly to the Committee on all activities undertaken by its members pursuant to paragraph 5 above and in the implementation of the present resolution;

13. *Requests* the Committee to carry out the tasks set out in the present resolution and to continue with its mandate as set out in paragraphs 14 (*a*) to (*i*) of resolution 1343 (2001);

14. *Also requests* the Committee to consider and take appropriate action on information brought to its attention concerning any alleged violations of the measures imposed by paragraph 8 of resolution 788 (1992) while that resolution was in force;

15. *Requests* all States that have not reported pursuant to paragraph 18 of resolution 1343 (2001) to report to the Committee within ninety days on the steps they have taken to implement the measures referred to in paragraph 5 above;

16. *Requests* the Secretary-General to establish, within three months from the date of adoption of the present resolution, in consultation with the Committee, for a period of three months, a Panel of Experts consisting of no more than five members, drawing, as much as possible and as appropriate, on the expertise of the members of the Panel of Experts established

pursuant to resolution 1343 (2001), to conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a report on the compliance of the Government of Liberia with the demands referred to in paragraph 1 above, on the potential economic, humanitarian and social impact on the Liberian population of the measures referred to in paragraph 5 above and on any violations of the measures referred to in paragraph 5 above, including any involving rebel movements, and to report to the Council through the Committee no later than 7 October 2002 with observations and recommendations, and also requests the Secretary-General to provide the necessary resources;

17. *Requests* the Panel of Experts referred to in paragraph 16 above, as far as possible, to bring any relevant information collected in the course of the investigations conducted in accordance with its mandate to the attention of the States concerned for prompt and thorough investigation and, where appropriate, corrective action, and to allow them the right of reply;

18. *Calls upon* all States to take appropriate measures to ensure that individuals and companies within their jurisdiction, in particular those referred to in the reports of the Panel of Experts established pursuant to resolutions 1343 (2001) and 1395 (2002), act in conformity with United Nations embargoes, in particular those established pursuant to resolutions 1171 (1998), 1306 (2000) and 1343 (2001), and, as appropriate, to take the necessary judicial and administrative action to end any illegal activities by those individuals and companies;

19. *Requests* all States, in particular arms exporting countries, to exercise the highest degree of responsibility in small arms and light weapons transactions to prevent the illegal diversion and re-export thereof, so as to stem the leakage of legal weapons to illegal markets in the region, in line with the statement by its President of 31 August 2001[293] and the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[294]

20. *Decides* to conduct reviews of the measures referred to in paragraph 5 above before 7 November 2002 and every six months thereafter;

21. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Panel of Experts referred to in paragraph 16 above, including by supplying information on possible violations of the measures referred to in paragraph 5 above;

22. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4526th meeting.

ENSURING AN EFFECTIVE ROLE OF THE SECURITY COUNCIL IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY, PARTICULARLY IN AFRICA

[*Resolutions or decisions on this question were also adopted by the Security Council in 2000.*]

Decisions

At its 4288th meeting, on 7 March 2001, the Security Council decided to invite the representatives of Algeria, Argentina, Australia, Belarus, Brazil, Canada, Croatia, Egypt, Japan,

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[293] S/PRST/2001/21.

[294] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), para. 24.

Namibia, Pakistan, Peru and Sweden to participate, without vote, in the discussion of the item entitled:

> "Ensuring an effective role of the Security Council in the maintenance of international peace and security, particularly in Africa
>
> > "Letter dated 28 February 2001 from the Acting Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (S/2001/185)".

At its 4302nd meeting, on 22 March 2001, the Council considered the item discussed at the 4288th meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[295]

> "The Security Council recalls the decisions and recommendations contained in the declaration on ensuring an effective role for the Security Council in the maintenance of international peace and security, particularly in Africa, adopted at its meeting at the level of heads of State and Government in the course of the Millennium Summit,[296] and the open debate held on 7 March 2001 to review the implementation thereof. The Council takes note with interest of the important views expressed by non-members at this debate.
>
> "The Council notes the progress achieved in translating the commitments made at its summit meeting into practical results and expresses its determination to intensify efforts to this end. The Council underlines the importance of the declaration as a contribution towards the development of a well-targeted strategy and a shared vision in the maintenance of international peace and security and of the deeper and broader involvement of Member States and the wider international community in that regard.
>
> "The Council will consider and take appropriate action on the forthcoming report of the Secretary-General on conflict prevention, his recommendations on the strengthening of the capacity of the United Nations to develop peace-building strategies, the report prepared by its Working Group on General Issues of Sanctions, and the recommendations on improving the three-way relationship between the Council, the troop-contributing countries and the Secretariat to be prepared by its Working Group of the Whole on Peacekeeping Operations, and reiterates its intention to review periodically the implementation of its resolution 1327 (2000) of 13 November 2000 on strengthening peacekeeping operations.
>
> "The Council underlines the need for closer cooperation and interaction within the United Nations system in addressing the challenges to peace and security, including the root causes of conflicts, and intends to continue to take concrete steps in advancing this goal. The Council also expresses its willingness to continue to develop productive working relationships with regional and subregional organizations in addressing conflict.
>
> "The Council decides to conduct a further review, with the active participation of non-members, of the implementation of the commitments made at its meeting at the level of heads of State and Government."

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[295] S/PRST/2001/10.

[296] See resolution 1318 (2000), annex.

THE SITUATION ALONG THE BORDERS OF GUINEA, LIBERIA AND SIERRA LEONE

Decisions

At its 4291st meeting, on 8 March 2001, the Security Council decided to invite the representatives of Guinea and Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation along the borders of Guinea, Liberia and Sierra Leone

> "Briefing by Mr. Ruud Lubbers, the United Nations High Commissioner for Refugees".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ruud Lubbers, the United Nations High Commissioner for Refugees.

THE SITUATION IN THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION

[*Resolutions or decisions on this question were also adopted by the Security Council in 2000.*]

Decisions

At its 4292nd meeting, held in private on 14 March 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4292nd meeting, held in private on 14 March 2001, the Security Council considered the item entitled 'The situation in the Middle East, including the Palestinian Question'.
>
> "The President, with the consent of the Council, invited the Deputy Prime Minister and Minister for Foreign Affairs of Israel, at his request, to participate in the discussion of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council and the Deputy Prime Minister and Minister for Foreign Affairs of Israel had a constructive discussion."

At its 4293rd meeting, held in private on 14 March 2001, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4293rd meeting, held in private on 14 March 2001, the Security Council considered the item entitled 'The situation in the Middle East, including the Palestinian Question'.
>
> "The President drew attention to a letter dated 14 March 2001 from the Permanent Observer of Palestine to the United Nations,[297] requesting an invitation to participate in the meeting in accordance with the previous practice of the Council. In accordance with the rules of procedure and the previous practice in this regard, the President, with the consent of the Council, invited the Permanent Observer of Palestine to participate in the discussion.

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[297] S/2001/222.

"The members of the Council and the Permanent Observer of Palestine had a constructive discussion."

At its 4295th meeting, on 15 March 2001, the Council decided to invite the representatives of Algeria, Bahrain, Belgium, Egypt, Islamic Republic of Iran, Iraq, Israel, Japan, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, New Zealand, Pakistan, Qatar, Saudi Arabia, South Africa, the Sudan, Sweden, the Syrian Arab Republic, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 13 March 2001 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the President of the Security Council (S/2001/216)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 15 March 2001 to the President of the Council,[298] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 14 March 2001.

Upon resumption of the meeting, on 15 March 2001, the Council decided to invite the representatives of Cuba, Mauritania and Morocco to participate, without vote, in the discussion of the item.

Upon resumption of the meeting, on 19 March 2001, the Council decided to invite the representatives of Indonesia and Lebanon to participate, without vote, in the discussion of the item.

At the same meeting, in response to the request dated 16 March 2001 from the Permanent Representative of Malaysia to the United Nations addressed to the President of the Security Council,[299] the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference to the United Nations.

At the same meeting, in response to the request dated 15 March 2001 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the President of the Security Council,[300] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ali Ahmed Abbas, Deputy Permanent Observer of the League of Arab States to the United Nations.

At its 4305th meeting, on 27 March 2001, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian Question."

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 27 March 2001 to the President of the Council,[301] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

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[298] Document S/2001/225, incorporated in the record of the 4295th meeting.

[299] Document S/2001/235, incorporated in the record of the 4295th meeting (Resumption 2).

[300] Document S/2001/236, incorporated in the record of the 4295th meeting (Resumption 2).

[301] Document S/2001/282, incorporated in the record of the 4305th meeting.

At its 4357th meeting, on 20 August 2001, the Council decided to invite the representatives of Algeria, Bahrain, Belgium, Djibouti, Egypt, India, Indonesia, the Islamic Republic of Iran, Iraq, Israel, Japan, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, South Africa, the Sudan, Turkey and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 15 August 2001 from the Representatives of Mali and Qatar to the United Nations addressed to the President of the Security Council (S/2001/797)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 17 August 2001 to the President of the Council,[302] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 17 August 2001.

At the same meeting, in response to the request dated 17 August 2001 from the Chargé d'affaires of the Permanent Mission of Mali to the United Nations addressed to the President of the Security Council,[303] the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmad Haji Hosseini, Acting Permanent Observer of the Organization of the Islamic Conference to the United Nations.

Upon resumption of the meeting, on 20 August 2001, the Council also decided to invite the representatives of Cuba, Cyprus, Lebanon and Namibia to participate, without vote, in the discussion of the item.

At the same meeting, in response to the request dated 20 August 2001 from the Chargé d'affaires of the Permanent Mission of Tunisia to the United Nations addressed to the President of the Security Council,[304] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ali Ahmed Abbas, Deputy Permanent Observer of the League of Arab States to the United Nations.

Upon resumption of the meeting, on 21 August 2001, the Council decided to invite the representative of Mexico to participate, without vote, in the discussion of the item.

At its 4438th meeting, on 14 December 2001, the Council decided to invite the representatives of Belgium, Brazil, Canada, Cuba, Egypt, the Islamic Republic of Iran, Israel, Malaysia and South Africa to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 13 December 2001 from the Representative of Egypt to the United Nations addressed to the President of the Security Council (S/2001/1191)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 14 December 2001 to the President of the Council,[305] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

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[302] Document S/2001/799, incorporated in the record of the 4357th meeting.

[303] Document S/2001/800, incorporated in the record of the 4357th meeting.

[304] Document S/2001/801, incorporated in the record of the 4357th meeting (Resumption 1).

[305] Document S/2001/1205, incorporated in the record of the 4438th meeting.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 14 December 2001.

At its 4474th meeting, on 21 February 2002, the Council decided to invite the representatives of Israel and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Identical letters dated 20 February 2002 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council (S/2002/182).
>
> "Letter dated 20 February 2002 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security Council (S/2002/184)".

At the same meeting, the Council also decided to extend an invitation to the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations, in response to his request dated 21 February 2002 to the President of the Council,[306] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 4478th meeting, on 26 February 2002, the Council decided to invite the representatives of Algeria, Argentina, Australia, Bangladesh, Brazil, Canada, Chile, Cuba, Egypt, India, the Islamic Republic of Iran, Iraq, Japan, Jordan, Malaysia, Morocco, Oman, Pakistan, Saudi Arabia, South Africa, Spain, Tunisia, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 20 February 2002 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security Council (S/2002/184)
>
> "Identical letters dated 20 February 2002 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council (S/2002/182)".

In accordance with the decision taken at the 4474th meeting, the President of the Security Council invited the representatives of Israel and Yemen to participate, without vote, in the discussion of the item.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 21 February 2002.

In accordance with the decision taken at the 4474th meeting, the President of the Security Council invited the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations to participate in the meeting.

Upon resumption of the meeting, on 27 February 2002, the Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item.

At its 4488th meeting, on 12 March 2002, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian Question."

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[306] Document S/2002/186, incorporated in the record of the 4474th meeting.

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 12 March 2002 to the President of the Council,[307] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 4489th meeting, on 12 March 2002, in accordance with the decision taken at the 4488th meeting, the President of the Security Council invited the representative of Israel to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian Question."

At the same meeting, in accordance with the decision taken at the 4488th meeting, the President of the Security Council also invited the Permanent Observer of Palestine to the United Nations to participate in the meeting.

Resolution 1397 (2002)
of 12 March 2002

The Security Council,

Recalling all its relevant resolutions, in particular resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973,

Affirming a vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Expressing its grave concern at the continuation of the tragic and violent events that have taken place since September 2000, especially the recent attacks and the increased number of casualties,

Stressing the need for all concerned to ensure the safety of civilians,

Stressing also the need to respect the universally accepted norms of international humanitarian law,

Welcoming and encouraging the diplomatic efforts of special envoys from the United States of America, the Russian Federation and the European Union, and the United Nations Special Coordinator and others, to bring about a comprehensive, just and lasting peace in the Middle East,

Welcoming the contribution of Crown Prince Abdullah of Saudi Arabia,

1. *Demands* immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;

2. *Calls upon* the Israeli and Palestinian sides and their leaders to cooperate in the implementation of the Tenet work plan and the recommendations contained in the Mitchell report with the aim of resuming negotiations on a political settlement;

3. *Expresses support* for the efforts of the Secretary-General and others to assist the parties to halt the violence and to resume the peace process;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 4489th meeting.

Decisions

At its 4503rd meeting, on 29 and 30 March 2002, the Security Council decided to invite the representatives of Algeria, Cuba, Djibouti, Egypt, India, the Islamic Republic of Iran, Iraq, Israel,

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[307] Document S/2002/256, incorporated in the record of the 4488th meeting.

Jordan, the Libyan Arab Jamahiriya, Morocco, Pakistan, Qatar, Saudi Arabia, Spain, Tunisia and Turkey to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 29 March from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/2002/329)
>
> "Letter dated 29 March from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council (S/2002/331) ".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 29 March 2002 to the President of the Council,[308] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

Resolution 1402 (2002)
of 30 March 2002

The Security Council,

Reaffirming its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, and the Madrid principles,[309]

Expressing its grave concern at the further deterioration of the situation, including the recent suicide bombings in Israel and the military attack against the headquarters of the President of the Palestinian Authority,

1. *Calls upon* both parties to move immediately to a meaningful ceasefire; calls for the withdrawal of Israeli troops from Palestinian cities, including Ramallah; and calls upon the parties to cooperate fully with the Special Envoy, General Anthony Zinni, and others, to implement the Tenet security work plan as a first step towards implementation of the recommendations contained in the Mitchell report, with the aim of resuming negotiations on a political settlement;

2. *Reiterates its demand* in resolution 1397 (2002) for an immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;

3. *Expresses support* for the efforts of the Secretary-General and the special envoys to the Middle East to assist the parties to halt the violence and to resume the peace process;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 4503rd meeting.

Decisions

At its 4504th meeting, held in private on 2 April 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4504th meeting, held in private on 2 April 2002, the Security Council considered the item entitled 'The situation in the Middle East, including the Palestinian Question'.
>
> "The President, with the consent of the Council, invited the representative of Israel to participate in the discussion of the item without the right to vote, in accordance with the

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[308] Document S/2002/332, incorporated in the record of the 4503rd meeting.

[309] See Declaration of Principles on Interim Self-Government Arrangements, signed in Washington, D.C., on 13 September 1993 (A/48/486-S/26560, annex).

relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The members of the Council and the representative of Israel had a constructive discussion."

At its 4505th meeting, held in private on 2 April 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4505th meeting, held in private on 2 April 2002, the Security Council considered the item entitled 'The situation in the Middle East, including the Palestinian Question'.

"In accordance with the rules of procedure and the previous practice in this regard, the President, with the consent of the Council, invited the Permanent Observer of Palestine to participate in the discussion.

"The members of the Council and the Permanent Observer of Palestine had a constructive discussion."

At its 4506th meeting, on 3 April 2002, the Council decided to invite the representatives of Algeria, Bangladesh, Brazil, Chile, Cuba, Egypt, the Islamic Republic of Iran, Israel, Japan, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Namibia, Oman, Pakistan, Saudi Arabia, South Africa, Spain, Tunisia, Turkey, Ukraine, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

"Letter dated 1 April 2002 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/2002/336)

"Letter dated 2 April 2002 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council (S/2002/342)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 3 April 2002 to the President of the Council,[310] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 3 April 2002.

Upon resumption of the meeting, on 3 April 2002, the Council decided to invite the representatives of Argentina, Bahrain, Bhutan, Canada, Costa Rica, Cyprus, Djibouti, India, Indonesia, Iraq, Lebanon, Morocco, New Zealand, Qatar, the Sudan and the United Republic of Tanzania to participate, without vote, in the discussion of the item.

Resolution 1403 (2002)
of 4 April 2002

The Security Council,

Reaffirming its resolutions 1397 (2002) of 12 March 2002 and 1402 (2002) of 30 March 2002,

Gravely concerned at the further deterioration of the situation on the ground, and noting that resolution 1402 (2002) has not yet been implemented,

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[310] Document S/2002/344, incorporated in the record of the 4506th meeting.

1. *Demands* the implementation of resolution 1402 (2002) without delay;

2. *Welcomes* the mission of the Secretary of State of the United States of America to the region, as well as efforts by others, in particular the special envoys from the United States, the Russian Federation and the European Union, and the United Nations Special Coordinator, to bring about a comprehensive, just and lasting peace to the Middle East;

3. *Requests* the Secretary-General to follow the situation and keep the Council informed;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 4506th meeting.

Decisions

At its 4508th meeting, held in private on 8 April 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4508th meeting, held in private on 8 April 2002, the Security Council considered the item entitled 'The situation in the Middle East, including the Palestinian Question'.
>
> "The President, with the consent of the Council, invited the representative of Israel to participate in the discussion of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council and the representative of Israel had a constructive discussion."

At its 4509th meeting, held in private on 8 April 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4509th meeting, held in private on 8 April 2002, the Security Council considered the item entitled 'The situation in the Middle East, including the Palestinian Question'.
>
> "In accordance with the rules of procedure and the previous practice in this regard, the President, with the consent of the Council, invited the Permanent Observer of Palestine to participate in the discussion.
>
> "The members of the Council and the Permanent Observer of Palestine had a constructive discussion."

At its 4510th meeting, on 8 April 2002, the Council decided to invite the representatives of Algeria, Bahrain, Canada, Cuba, Ecuador, Egypt, India, the Islamic Republic of Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Republic of Korea, Saudi Arabia, South Africa, Spain, the Sudan, Tunisia, Turkey, United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 6 April 2002 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/2002/359)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 8 April 2002 to the

President of the Council,[311] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

Upon resumption of the meeting, on 9 April 2002, the Council decided to invite the representatives of Indonesia, Nepal and the Philippines to participate, without vote, in the discussion of the item.

At its 4511th meeting, on 10 April 2002, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian Question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 10 April 2002 to the President of the Council,[312] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[313]

> "The Security Council supports the Joint Statement issued in Madrid on 10 April 2002 by the Secretary-General, the Minister for Foreign Affairs of the Russian Federation, the Secretary of State of the United States of America, the Minister for Foreign Affairs of Spain and the High Representative for Common Foreign and Security Policy of the European Union,[314] which is annexed to this statement, as transmitted to the Council by the Secretary-General. The Council calls upon the Government of Israel, the Palestinian Authority and all States in the region to cooperate with the efforts to achieve the goals set out in the Joint Statement and insists on the immediate implementation of its resolutions 1402 (2002) of 30 March 2002 and 1403 (2002) 4 April 2002.
>
> **"Annex**
>
> **"Joint Statement**
>
> "The Secretary-General of the United Nations, Mr. Kofi Annan, the Minister for Foreign Affairs of the Russian Federation, Mr. Igor Ivanov, the Secretary of State of the United States of America, Mr. Colin Powell, the Minister for Foreign Affairs of Spain, Mr. Josep Pique, and the High Representative for Common Foreign and Security Policy of the European Union, Mr. Javier Solana, met in Madrid today. We reviewed the escalating confrontation in the Middle East and agreed to coordinate our actions to resolve the current crisis.
>
> "We express our grave concern about the present situation, including the mounting humanitarian crisis and the growing risk to regional security. We reiterate our shared condemnation of violence and terrorism, express our deep distress at the loss of innocent Palestinian and Israeli life, and extend our deepest sympathy to the families of those killed and wounded. Believing that there has been too much suffering and too much bloodshed, we call upon the leaders of Israel and the Palestinian Authority to act in the interests of their own people, the region, and the international community and to immediately halt this senseless confrontation.
>
> "In this regard, we express our grave concern about the most recent attacks from Lebanon across the Blue Line determined by the United Nations. The Quartet calls upon all

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[311] Document S/2002/361, incorporated in the record of the 4510th meeting.

[312] Document S/2002/371, incorporated in the record of the 4511th meeting.

[313] S/PRST/2002/9.

[314] S/2002/369.

parties to respect the Blue Line, halt all attacks, and show the utmost restraint. The conflict should not be allowed to spread and threaten regional security and stability.

"The United Nations, the European Union and the Russian Federation express their strong support for the mission of the Secretary of State, Mr. Powell, and urge Israel and the Palestinian Authority to cooperate fully with his mission and with their continuing efforts to restore calm and resume a political process.

"We reiterate that there is no military solution to the conflict and call upon the parties to move towards a political resolution of their disputes based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the principle of land for peace – which formed the basis for the Peace Conference on the Middle East convened in Madrid on 30 October 1991. We reaffirm our support for the objective expressed by President George W. Bush of the United States of America and spelled out in Council resolution 1397 (2002) of 12 March 2002, of two States, Israel and Palestine, living side-by-side within secure and recognized borders. We warmly welcome the peace initiative of Crown Prince Abdullah of Saudi Arabia, as endorsed in Beirut by the League of Arab States, as a significant contribution towards a comprehensive peace, including Syria and Lebanon.

"To enable progress towards our shared goals, we reaffirm that Security Council resolution 1402 (2002) of 30 March 2002 must be fully implemented immediately, as called for in Council resolution 1403 (2002) of 4 April 2002. We call upon Israel to halt immediately its military operations. We call for an immediate, meaningful ceasefire and an immediate Israeli withdrawal from Palestinian cities, including Ramallah, specifically including the headquarters of Chairman Yasser Arafat. We call upon Israel to fully comply with international humanitarian principles and to allow full and unimpeded access to humanitarian organizations and services. We call upon Israel to refrain from the excessive use of force and undertake all possible efforts to ensure the protection of civilians.

"We call upon Chairman Arafat, as the recognized, elected leader of the Palestinian people, to undertake immediately the maximum possible effort to stop terror attacks against innocent Israelis. We call upon the Palestinian Authority to act decisively and take all possible steps within its capacity to dismantle terrorist infrastructure, including terrorist financing, and to stop incitement to violence. We call upon Chairman Arafat to use the full weight of his political authority to persuade the Palestinian people that any and all terrorist attacks against Israelis should end immediately, and to authorize his representatives to resume immediately security coordination with Israel.

"Terrorism, including suicide bombing, is illegal and immoral, has inflicted grave harm upon the legitimate aspirations of the Palestinian people and must be condemned as called for in Council resolution 1373 (2001) of 28 September 2001.

"We call upon Israel and the Palestinian Authority to reach agreement on ceasefire proposals put forward by General Anthony Zinni without further delay. We commend the efforts of General Zinni to date to achieve this objective.

"The Quartet stands ready to assist the parties in implementing their agreements, in particular the Tenet security work plan and the recommendations contained in the Mitchell report, including through a third-party mechanism, as agreed to by the parties.

"We affirm that the Tenet plan and the recommendations contained in the Mitchell report must be fully implemented, including an end to all settlement activity. We affirm that there must be immediate, parallel and accelerated movement towards near-term and tangible political progress, and that there must be a defined series of steps leading to permanent peace, involving recognition, normalization and security between the sides, an end to Israeli occupation and an end to the conflict. This will allow Israel to enjoy enduring peace and security and the Palestinian people to realize their hopes and aspirations in security and dignity.

"In support of these objectives, we call upon the international community, particularly the Arab States, to preserve, strengthen and assist the Palestinian Authority, including through efforts to rebuild its infrastructure, security and governance capacity. We also call upon the donor community and the international financial institutions to renew their commitment to provide urgent humanitarian assistance to the Palestinian people, and to assist in economic and institutional reconstruction. We pay tribute to the courageous efforts of the humanitarian agencies.

"We agreed upon the need to keep the situation in the Middle East under review by the Quartet at the principals' level through regular consultations. Our special envoys will continue their efforts on the ground to assist the parties in reaching an end to confrontation and a resumption of political negotiations.

"*Madrid – 10 April 2002*"

At its 4515th meeting, on 18 April 2002, the Council decided to invite the representatives of Algeria, Bangladesh, Brazil, Canada, Cuba, Egypt, India, Indonesia, Islamic Republic of Iran, Iraq, Israel, Japan, Jordan, Kuwait, Malaysia, Mauritania, Mongolia, Morocco, Oman, Pakistan, Qatar, Republic of Korea, Saudi Arabia, South Africa, Spain, the Sudan, Tunisia and the United Arab Emirates to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 17 April 2002 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/2002/431)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 18 April 2002 to the President of the Council,[315] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 4516th meeting, on 19 April 2002, the Council considered the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 17 April 2002 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/2002/431)".

In accordance with the decision taken at the 4515th meeting, the President of the Security Council invited the representative of Israel to participate without vote, in the discussion of the item.

In accordance with the decision taken at the 4515th meeting, the President of the Council also invited the Permanent Observer of Palestine to the United Nations to participate in the meeting.

Resolution 1405 (2002)
of 19 April 2002

The Security Council,

Reaffirming its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002, 1403 (2002) of 4 April 2002, and the statement by its President of 10 April 2002,[313]

Concerned by the dire humanitarian situation of the Palestinian civilian population, in particular reports from the Jenin refugee camp of an unknown number of deaths and destruction,

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[315] Document S/2002/439, incorporated in the record of the 4515th meeting.

Calling for the lifting of restrictions imposed, in particular in Jenin, on the operations of humanitarian organizations, including the International Committee of the Red Cross and the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Stressing the need for all concerned to ensure the safety of civilians, and to respect the universally accepted norms of international humanitarian law,

1. *Emphasizes* the urgency of access of medical and humanitarian organizations to the Palestinian civilian population;

2. *Welcomes* the initiative of the Secretary-General to develop accurate information regarding recent events in the Jenin refugee camp through a fact-finding team, and requests him to keep the Council informed;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4516th meeting.

Decisions

At its 4525th meeting, on 3 May 2002, the Security Council decided to invite the representatives of Argentina, Canada, Chile, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Israel, Japan, Jordan, Malaysia, Morocco, Pakistan, South Africa, Spain, the Sudan, Tunisia, Turkey and the United Arab Emirates to participate, without vote, in the discussion of the item entitled:

> "The situation in the Middle East, including the Palestinian Question
>
> > "Letter dated 2 May 2002 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council (S/2002/510)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 3 May 2002 to the President of the Council,[316] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

Upon resumption of the meeting, on 3 May 2002, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 3 May 2002.

At the same meeting, the Council decided to invite the representatives of Brazil and Lebanon to participate, without vote, in the discussion of the item.

At its 4552nd meeting, on 13 June 2002, the Council decided to invite the representatives of Bahrain, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Iraq, Israel, Japan, Jordan, Kuwait, Malaysia, Morocco, Pakistan, South Africa, Spain, the Sudan, Tunisia and Turkey to participate, without vote, in the discussion of the item entitled:

> "The situation in the Middle East, including the Palestinian Question
>
> > "Letter dated 11 June 2002 from the Permanent Representative of Bahrain to the United Nations addressed to the President of the Security Council (S/2002/655)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 12 June 2002 to the

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[316] Document S/2002/506, incorporated in the record of the 4525th meeting.

President of the Council,[317] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 12 June 2002.

Upon resumption of the meeting, on 13 June 2002, the Council decided to invite the representative of Saudi Arabia to participate, without vote, in the discussion of the item.

At its 4556th meeting, held in private on 20 June 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4556th meeting, held in private on 20 June 2002, the Security Council considered the item entitled 'The situation in the Middle East, including the Palestinian Question'.
>
> "The Secretary-General and the members of the Council had a constructive discussion."

At its 4578th meeting, on 18 July 2002, the Council considered the item entitled "The situation in the Middle East, including the Palestinian Question".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[318]

> "The Security Council supports the Joint Statement of the 'Quartet', annexed to the present statement, which was issued in New York on 16 July 2002 by the Secretary-General of the United Nations, the Minister for Foreign Affairs of the Russian Federation, the Secretary of State of the United States of America, the Minister for Foreign Affairs of Denmark, the High Representative for Common Foreign and Security Policy of the European Union and the European Commissioner for External Affairs. The Council appreciates also the involvement in discussions with the 'Quartet' of senior representatives of Egypt, Jordan and Saudi Arabia.
>
> "The Council calls upon the Government of Israel, the Palestinian Authority and all States in the region to cooperate with the efforts to achieve the goals set out in the Joint Statement and stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 1397 (2002) of 12 March 2002, the Madrid terms of reference[309] and the principle of land for peace.
>
> **"Annex**
>
> **"Joint Statement of the 'Quartet'**
>
> "The following is the text of a joint statement issued by the 'Quartet' (the United Nations, the Russian Federation, the United States of America and the European Union) following their meeting in New York.
>
> "The Secretary-General of the United Nations, Mr. Kofi Annan, the Minister for Foreign Affairs of the Russian Federation, Mr. Igor Ivanov, the Secretary of State of the United States of America, Mr. Colin Powell, the Minister for Foreign Affairs of Denmark, Mr. Per Stig Moeller, the High Representative for Common Foreign and Security Policy of the European Union, Mr. Javier Solana, and the European Commissioner for External

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[317] Document S/2002/658, incorporated in the record of the 4552nd meeting.

[318] S/PRST/2002/20.

Affairs, Mr. Chris Patten, met in New York today. The members of the Quartet reviewed the situation in the Middle East and agreed to continue close consultations, as expressed in the Madrid Declaration,[309] to which the Quartet remains fully committed, to promote a just, comprehensive, and lasting settlement of the Middle East conflict. The Quartet expresses its support for the convening of a further international ministerial meeting at an appropriate time.

"The Quartet deeply deplores the tragic killing, today, of Israeli civilians and reiterates its strong and unequivocal condemnation of terrorism, including suicide bombing, which is morally repugnant and has caused great harm to the legitimate aspirations of the Palestinian people for a better future. Terrorists must not be allowed to kill the hope of an entire region, and a united international community, for genuine peace and security for both Palestinians and Israelis. The Quartet expresses once again its profound regret at the loss of innocent Israeli and Palestinian lives and extends its sympathy to all those who have suffered loss. The members of the Quartet express their increasing concern about the mounting humanitarian crisis in Palestinian areas and their determination to address urgent Palestinian needs.

"Consistent with the statement of President George W. Bush of the United States of America, of 24 June 2002, the United Nations, the European Union and the Russian Federation express their strong support for the goal of achieving a final Israeli-Palestinian settlement which, with intensive effort on security and reform by all, could be reached within three years from now. The United Nations, the European Union and the Russian Federation welcome the commitment of President Bush to active American leadership toward that goal. The Quartet remains committed to implementing the vision of two States, Israel and an independent, viable and democratic Palestine, living side by side in peace and security, as affirmed by Security Council resolution 1397 (2002) of 12 March 2002. The members of the Quartet, in their individual capacity and jointly, pledge all possible efforts to realize the goals of reform, security and peace, and reaffirm that progress in the political, security, economic, humanitarian and institution-building fields must proceed together, hand-in-hand. The Quartet reiterates its welcome of the initiative of Saudi Arabia, endorsed by the Arab League Countries Summit, held in Beirut on 27 March 2002, as a significant contribution towards a comprehensive peace.

"To assist progress toward these shared goals, the Quartet agreed upon the importance of a coordinated international campaign to support Palestinian efforts at political and economic reform. The Quartet welcomes and encourages the strong Palestinian interest in fundamental reform, including the Palestinian 100-day reform programme. It also welcomes the willingness of regional States and the international community to assist the Palestinians to build institutions of good government and to create a new governing framework of working democracy, in preparation for statehood. For these objectives to be realized, it is essential that well-prepared, free, open and democratic elections take place. The new international Task Force on Reform, which is composed of representatives of the United States, the European Union, the Secretary-General of the United Nations, the Russian Federation, Japan, Norway, the World Bank and the International Monetary Fund, and which works under the auspices of the Quartet, will strive to develop and implement a comprehensive action plan for reform. At its inaugural meeting in London on 10 July 2002, the Task Force discussed a detailed plan, including specific Palestinian commitments. It will meet again in August to review actions in areas including civil society, financial accountability, local government, the market economy, elections and judicial and administrative reform.

"Implementation of an action plan, with appropriate benchmarks for progress on reform measures, should lead to the establishment of a democratic Palestinian State characterized by the rule of law, the separation of powers and a vibrant free market economy that can best serve the interests of its people. The Quartet also commits itself to continuing to assist the parties in efforts to renew dialogue and welcomes in this regard the recent high-level ministerial meetings between Israelis and Palestinians on the issues of security, economics and reform.

"The Quartet agreed upon the critical need to build new and efficient Palestinian security capabilities on sound bases of unified command, and transparency and accountability with regard to resources and conduct. Restructuring security institutions to serve these goals should lead to improvement in Palestinian security performance, which is essential to progress on other aspects of institutional transformation and the realization of a Palestinian State committed to combating terror.

"In this context, the Quartet notes Israel's vital stake in the success of Palestinian reform. The Quartet calls upon Israel to take concrete steps to support the emergence of a viable Palestinian State. Recognizing the legitimate security concerns of Israel, these steps include immediate measures to ease the internal closures in certain areas and, as security improves through reciprocal steps, withdrawal of Israeli forces to their pre-28 September 2000 positions. Moreover, frozen tax revenues should be released. In this connection, a more transparent and accountable mechanism is being put into place. In addition, consistent with the recommendations contained in the Mitchell report, Israel should stop all new settlement activity. Israel must also ensure full, safe and unfettered access for international and humanitarian personnel.

"The Quartet reaffirms that there must be a negotiated permanent settlement based on the Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973. There can be no military solution to the conflict; Israelis and Palestinians must address the core issues that divide them, through sustained negotiations, if there is to be real and lasting peace and security. The Israeli occupation that began in 1967 must end and Israel must have secure and recognized borders. The Quartet further reaffirms its commitment to the goal of a comprehensive regional peace between Israel and Lebanon, and Israel and Syria, based upon resolutions 242 (1967) and 338 (1973), the Madrid terms of reference[309] and the principle of land for peace.

"The Quartet looks forward to upcoming consultations with the Ministers for Foreign Affairs of Egypt, Jordan and Saudi Arabia, and other regional partners, and determines to continue regular consultations on the situation in the Middle East at the principals' level. The envoys of the Quartet will continue their work on the ground to support the work of the principals, to assist the Task Force on Reform and to aid the parties in resuming a political dialogue in order to reach a solution to the core political questions."

At its 4588th meeting, on 24 July 2002, the Council decided to invite the representatives of Bahrain, Chile, Cuba, Denmark, Egypt, India, Indonesia, the Islamic Republic of Iran, Iraq, Israel, Japan, Jordan, Kuwait, Malaysia, Pakistan, Saudi Arabia, South Africa, the Sudan, Tunisia and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian Question

> "Letter dated 23 July 2002 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council (S/2002/828)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 24 July 2002 to the President of the Council,[319] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 24 July 2002.

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[319] Document S/2002/830, incorporated in the record of the 4588th meeting.

At the same meeting, in response to the request dated 24 July 2002 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council,[320] the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations.

THE SITUATION IN CYPRUS

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1963.*]

Decisions

On 27 March 2001, the President of the Security Council addressed the following letter to the Secretary-General:[321]

> "I have the honour to inform you that your letter dated 22 March 2001 concerning your intention to accept the offer of Slovakia to replace the Austrian and Slovenian troops following their withdrawal from the United Nations Peacekeeping Force in Cyprus by September 2001[322] has been brought to the attention of the members of the Security Council. They take note of your intention."

On 5 June 2001, the President of the Security Council addressed the following letter to the Secretary-General:[323]

> "I have the honour to inform you that your letter dated 31 May 2001 concerning your mission of good offices in Cyprus[324] has been brought to the attention of the members of the Security Council. They take note of your letter."

At its 4328th meeting, on 15 June 2001, the Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2001/534)".

Resolution 1354 (2001)
of 15 June 2001

The Security Council,

Welcoming the report of the Secretary-General of 30 May 2001 on the United Nations operation in Cyprus,[325] and in particular the call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 June 2001,

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[320] Document S/2002/831, incorporated in the record of the 4588th meeting.

[321] S/2001/276.

[322] S/2001/275.

[323] S/2001/557.

[324] S/2001/556.

[325] S/2001/534.

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolutions 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period, ending on 15 December 2001;

3. *Requests* the Secretary-General to submit a report by 1 December 2001 on the implementation of the present resolution;

4. *Urges* the Turkish Cypriot side and Turkish forces to rescind the restrictions imposed on 30 June 2000 on the operations of the United Nations Peacekeeping Force in Cyprus and to restore the military status quo ante at Strovilia;

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4328th meeting.

Decisions

On 12 December 2001, the President of the Security Council addressed the following letter to the Secretary-General:[326]

> "I have the honour to inform you that your letter dated 5 December 2001 concerning your mission of good offices in Cyprus[327] has been brought to the attention of the members of the Security Council. They take note of your letter."

On 12 December 2001 also, the President of the Security Council addressed the following letter to the Secretary-General:[328]

> "I have the honour to inform you that your letter dated 6 December 2001 concerning your decision to appoint Major General Jin Ha Hwang, of the Republic of Korea, as the next Force Commander of the United Nations Peacekeeping Force in Cyprus[329] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4436th meeting, on 14 December 2001, the Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2001/1122)".

Resolution 1384 (2001)
of 14 December 2001

The Security Council,

Welcoming the report of the Secretary-General of 30 November 2001 on the United Nations operation in Cyprus,[330] and in particular the call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness,

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[326] S/2001/1183.

[327] S/2001/1182.

[328] S/2001/1185.

[329] S/2001/1184.

[330] S/2001/1122.

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 2001,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period, ending on 15 June 2002;

3. *Requests* the Secretary-General to submit a report by 1 June 2002 on the implementation of the present resolution;

4. *Urges* the Turkish Cypriot side and Turkish forces to rescind the restrictions imposed on 30 June 2000 on the operations of the United Nations Peacekeeping Force in Cyprus and to restore the military status quo ante at Strovilia;

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4436th meeting.

Decisions

On 18 March 2002, the President of the Security Council addressed the following letter to the Secretary-General:[331]

> "I have the honour to inform you that your letter dated 13 March 2002 concerning your proposal to add Paraguay to the list of countries contributing troops to the United Nations Peacekeeping Force in Cyprus[332] has been brought to the attention of the members of the Security Council. They take note of the proposal contained therein."

At its 4551st meeting, on 13 June 2002, the Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2002/590)"

Resolution 1416 (2002)
of 13 June 2002

The Security Council,

Welcoming the report of the Secretary-General of 30 May 2002 on the United Nations operation in Cyprus,[333] and in particular the call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 June 2002,

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[331] S/2002/285.

[332] S/2002/284.

[333] S/2002/590.

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period, ending on 15 December 2002;

3. *Requests* the Secretary-General to submit a report by 1 December 2002 on the implementation of the present resolution;

4. *Urges* the Turkish Cypriot side and Turkish forces to rescind the restrictions imposed on 30 June 2000 on the operations of the United Nations Peacekeeping Force in Cyprus and to restore the military status quo ante at Strovilia;

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4551st meeting.

THE SITUATION BETWEEN IRAQ AND KUWAIT

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1990.*]

Decisions

On 5 April 2001, the President of the Security Council addressed the following letter to the Secretary-General:[334]

> "In accordance with the provisions of Security Council resolution 689 (1991) of 9 April 1991 and in the light of your report of 28 March 2001,[335] the members of the Security Council have reviewed the question of the termination or continuation of the United Nations Iraq-Kuwait Observation Mission and its modalities of operation.
>
> "I have the honour to inform you that the members of the Council concur with your recommendation that the Mission should be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 6 October 2001."

At its 4324th meeting, on 1 June 2001, the Council considered the item entitled:

"The situation between Iraq and Kuwait

> "Report of the Secretary-General pursuant to paragraph 5 of resolution 1330 (2000) (S/2001/505)".

Resolution 1352 (2001)
of 1 June 2001

The Security Council,

Recalling its relevant resolutions, including resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999 and 1330 (2000) of 5 December 2000,

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[334] S/2001/328.

[335] S/2001/287.

Convinced of the need, as a temporary measure, to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Recalling the Memorandum of Understanding between the United Nations and the Government of Iraq on the implementation of Security Council resolution 986 (1995), concluded on 20 May 1996,[336]

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the provisions of resolution 1330 (2000) until 3 July 2001;

2. *Expresses its intention* to consider new arrangements for the sale or supply of commodities and products to Iraq and for the facilitation of civilian trade and economic cooperation with Iraq in civilian sectors, based on the following principles:

(*a*) That such new arrangements will improve significantly the flow of commodities and products to Iraq, other than commodities and products referred to in paragraph 24 of resolution 687 (1991), and subject to review by the Security Council Committee established by resolution 661 (1990) of the proposed sale or supply to Iraq of commodities and products on a goods review list to be elaborated by the Council;

(*b*) That such new arrangements will improve the controls to prevent the sale or supply of items prohibited or unauthorized by the Council, in the categories referred to in sub-paragraph (*a*) above, and to prevent the flow of revenues to Iraq outside the escrow account established pursuant to paragraph 7 of resolution 986 (1995) from the export of petroleum and petroleum products from Iraq; and also expresses its intention to adopt and implement such new arrangements, and provisions on various related issues under discussion in the Council, for a period of 190 days beginning at 0001 hours eastern daylight time on 4 July 2001;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4324th meeting.

Decisions

At its 4336th meeting, on 26 June 2001, the Security Council decided to invite the representatives of Australia, Austria, Bahrain, Canada, Germany, India, Iraq, Italy, Japan, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, New Zealand, Qatar, Saudi Arabia, South Africa, Spain, Sweden, the Syrian Arab Republic, Thailand, Turkey and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

> "Letter dated 15 June 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2001/597)".

At the same meeting, in response to the request dated 25 June 2001 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security

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[336] See S/1996/356.

Council,[337] the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hussein Hassouna, Permanent Observer of the League of Arab States to the United Nations.

Upon resumption of the meeting, on 28 June 2001, the Council further decided to invite the representative of the Netherlands to participate, without vote, in the discussion of the item.

At its 4344th meeting, on 3 July 2001, the Council considered the item entitled:

"The situation between Iraq and Kuwait

> "Report of the Secretary-General pursuant to paragraph 5 of resolution 1330 (2000) (S/2001/505)".

Resolution 1360 (2001)
of 3 July 2001

The Security Council,

Recalling its relevant resolutions, including resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1330 (2000) of 5 December 2000 and 1352 (2001) of 1 June 2001, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need, as a temporary measure, to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12 and subject to paragraph 15 of resolution 1284 (1999), shall remain in force for a new period of 150 days beginning at 0001 hours eastern daylight time on 4 July 2001;

2. *Decides also* that from the sum produced from the import by States of petroleum and petroleum products originating in Iraq, including financial and other essential transactions related thereto, in the 150-day period referred to in paragraph 1 above, the amounts recommended by the Secretary-General in his report of 1 February 1998[338] for the food/nutrition and health sectors should continue to be allocated on a priority basis in the context of the activities of the Secretariat, of which 13 per cent of the sum produced in the period referred to above shall be used for the purposes referred to in paragraph 8 (*b*) of resolution 986 (1995);

3. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of the present resolution, and to continue to enhance as necessary the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with the present resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items

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[337] Document S/2001/631, incorporated in the record of the 4336th meeting.

[338] S/1998/90.

and spare parts, are utilized for the purpose for which they have been authorized, including in the housing sector and related infrastructure development;

4. *Decides* to conduct a thorough review of all aspects of the implementation of the present resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 150-day period, and expresses its intention, prior to the end of the 150-day period, to consider favourably renewal of the provisions of the present resolution as appropriate, provided that the reports referred to in paragraphs 5 and 6 below indicate that those provisions are being satisfactorily implemented;

5. *Requests* the Secretary-General to submit a comprehensive report to the Council 90 days after the date of entry into force of the present resolution on its implementation and again at least one week prior to the end of the 150-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies and foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (*a*) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet the humanitarian needs of Iraq;

6. *Requests* the Security Council Committee established by resolution 661 (1990), in close consultation with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and prior to the end of the 150-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

7. *Decides* that from the funds produced pursuant to the present resolution in the escrow account established pursuant to paragraph 7 of resolution 986 (1995), up to a total of 600 million United States dollars may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from the contracts approved in accordance with paragraph 2 of resolution 1175 (1998) of 19 June 1998 and paragraph 18 of resolution 1284 (1999), and expresses its intention to consider favourably the renewal of this measure;

8. *Requests* the Secretary-General to take the necessary steps to transfer the excess funds drawn from the account created pursuant to paragraph 8 (*d*) of resolution 986 (1995) for the purposes set out in paragraph 8 (*a*) of resolution 986 (1995) in order to increase the funds available for humanitarian purchases, including as appropriate the purposes referred to in paragraph 24 of resolution 1284 (1999);

9. *Decides* that the effective deduction rate of the funds deposited in the escrow account established pursuant to resolution 986 (1995) to be transferred to the Compensation Fund in the 150-day period shall be 25 per cent, decides also that the additional funds resulting from this decision will be deposited into the account established under paragraph 8 (*a*) of resolution 986 (1995) to be used for strictly humanitarian projects to address the needs of the most vulnerable groups in Iraq as referred to in paragraph 126 of the report of the Secretary-General of 29 November 2000,[339] requests the Secretary-General to report on the use of these funds in his reports referred to in paragraph 5 above, and expresses its intention to establish a mechanism to review, before the end of the 150-day period, the effective deduction rate of the funds deposited in the escrow account to be transferred to the Compensation Fund in future phases, taking into account the key elements of the humanitarian needs of the Iraqi people;

10. *Urges* all States, in particular the Government of Iraq, to provide their full cooperation in the effective implementation of the present resolution;

11. *Calls upon* the Government of Iraq to take the remaining steps necessary to implement paragraph 27 of resolution 1284 (1999), and further requests the Secretary-General to include in

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[339] S/2000/1132.

his reports under paragraph 5 above a review of the progress made by the Government of Iraq in the implementation of these measures;

12. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of the present resolution in Iraq;

13. *Appeals* to all States to continue to cooperate in the timely submission of applications and expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi people as rapidly as possible;

14. *Decides* to remain seized of the matter.

Adopted unanimously at the 4344th meeting

Decisions

On 4 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[340]

> "In accordance with the provisions of Security Council resolution 689 (1991) of 9 April 1991 and in the light of your report of 26 September 2001,[341] the members of the Council have reviewed the question of the termination or continuation of the United Nations Iraq-Kuwait Observation Mission and its modalities of operation.
>
> "I have the honour to inform you that the members of the Council concur with your recommendation that the Mission should be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 6 April 2002."

On 31 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[342]

> "I have the honour to inform you that your letter dated 26 October 2001 concerning your proposal to appoint Mr. John S. Wolf, of the United States of America, as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission[343] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

On 12 November 2001, the President of the Security Council addressed the following letter to the Secretary-General:[344]

> "I have the honour to inform you that your letter dated 2 November 2001 concerning your proposal to appoint Mr. Li Junhua, of China, as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission[345] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

On 16 November 2001, the President of the Security Council addressed the following letter to the Secretary-General:[346]

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[340] S/2001/936.

[341] S/2001/913.

[342] S/2001/1030.

[343] S/2001/1029.

[344] S/2001/1065.

[345] S/2001/1064.

[346] S/2001/1083.

"I have the honour to inform you that your letter dated 13 November 2001 concerning your intention to appoint General Miguel Angel Moreno, of Argentina, as the next Force Commander of the United Nations Iraq-Kuwait Observation Mission[347] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4431st meeting, on 29 November 2001, the Council considered the item entitled:

"The situation between Iraq and Kuwait

"Report of the Secretary-General pursuant to paragraph 5 of resolution 1360 (2001) (S/2001/1089)".

Resolution 1382 (2001)
of 29 November 2001

The Security Council,

Recalling its relevant resolutions, including resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1352 (2001) of 1 June 2001 and 1360 (2001) of 3 July 2001, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need as a temporary measure to continue to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990 in accordance with the provisions of those resolutions,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of Security Council resolution 986 (1995), except those contained in paragraphs 4, 11 and 12 and subject to paragraph 15 of resolution 1284 (1999), and the provisions of paragraphs 2, 3 and 5 to 13 of resolution 1360 (2001) shall remain in force for a new period of 180 days beginning at 0001 hours eastern standard time on 1 December 2001;

2. *Notes* the proposed Goods Review List, as contained in annex 1 to the present resolution, and the procedures for its application, as contained in annex 2 to the present resolution, and decides that it will adopt the List and the procedures, subject to any refinements to them agreed upon by the Council in the light of further consultations, for implementation beginning on 30 May 2002;

3. *Reaffirms* the obligation of all States, pursuant to resolution 661 (1990) and subsequent relevant resolutions, to prevent the sale or supply to Iraq of any commodities or products, including weapons or any other military equipment, and to prevent the making available to Iraq of any funds or any other financial or economic resources, except as authorized by existing resolutions;

4. *Stresses* the obligation of Iraq to cooperate in the implementation of the present resolution and other applicable resolutions, including by respecting the security and safety of all persons directly involved in their implementation;

5. *Appeals* to all States to continue to cooperate in the timely submission of technically complete applications and the expeditious issuing of export licences, and to take all other

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[347] S/2001/1082.

appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi population as rapidly as possible;

6. *Reaffirms its commitment* to a comprehensive settlement on the basis of the relevant resolutions of the Security Council, including any clarification necessary for the implementation of resolution 1284 (1999);

7. *Decides* that, for the purposes of the present resolution, references in resolution 1360 (2001) to the 150-day period established by that resolution shall be interpreted to refer to the 180-day period established pursuant to paragraph 1 above;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 4431st meeting.

Annex I

Proposed Goods Review List

(*Note*: Arms and munitions are prohibited under Security Council resolution 687 (1991) of 3 April 1991, paragraph 24, and thus are not included on the review list.)

A. Items subject to the provisions of Security Council resolution 1051 (1996) of 27 March 1996.

B. The List contained in the annex to document S/2001/1120, (to the extent, if any, that the items on these lists are not covered by Council resolution 687 (1991), paragraph 24). The List includes the following general categories and includes clarifying notes and statements of understanding: (1) advanced materials; (2) materials processing; (3) electronics; (4) computers; (5) telecommunications and information security; (6) sensors and lasers; (7) navigation and avionics; (8) marine; and (9) propulsion.

C. The following individual items, as further described in the annex:

Command, Control, Communication and Simulation

1. Specific advanced telecommunications equipment.

2. Information security equipment.

Sensors, Electronic Warfare, and Night Vision

3. Specialized electronic instrumentation and test equipment.

4. Image intensifier night vision systems, tubes, and components.

Aircraft and Related Items

5. Specialized radar equipment.

6. Non-civil-certified aircraft; all aero gas turbine engines; unmanned aerial vehicles; and parts and components.

7. Non-x-ray explosive detection equipment.

Naval-related Items

8. Air independent propulsion engines and fuel cells specially designed for underwater vehicles, and specially designed components therefor.

9. Marine acoustic equipment.

Explosives

10. Charges and devices specially designed for civil projects and containing small quantities of energetic materials.

Missile-related Items

11. Specialized vibration test equipment.

Conventional Weapons Manufacturing

12. Specialized semiconductor manufacturing equipment.

Heavy Military Transport

13. Low-bed trailers/loaders with a carrying capacity greater than 30 metric tonnes and width equal to or greater than 3 metres.

Biological Weapons Equipment

14. Certain Biological Equipment.

Annex to Proposed Goods Review List

Technical Parameters for Individual Items

1. **Specific advanced telecommunication equipment**

a. Any type of telecommunications equipment specially designed to operate outside the temperature range from 218 K (-55° C) to 397 K (124° C);

b. Phased array antennae, containing active elements and distributed components, and designed to permit electronic control of beam shaping and pointing, except for landing systems with instruments meeting International Civil Aviation Organization standards (microwave landing systems);

c. Radio relay communications equipment designed for use at frequencies of 7.9 through 10.55 GHz or exceeding 40 GHz and assemblies and components therefor;

d. Optical fibre cables of more than 5 metres in length, and preforms or drawn fibres of glass or other materials optimized for manufacture and use as optical telecommunications transmission medium. Optical terminals and optical amplifiers;

e. Software specially designed for the development or production of the components or equipment in a to d above;

f. Technology for the design, development or production of the components, software, or equipment in a to d above.

2. **Information security equipment**

Information security equipment having any of the following characteristics:

a. A symmetric encryption algorithm;

b. An asymmetric encryption algorithm;

c. A discrete-log encryption algorithm;

d. Analog encryption or scrambling;

e. TCSEC Bl, B2, B3, or Al or equivalent Multilevel Secure computer systems;

f. Software specially designed for the development or production of a to d above;

g. Technology for the development, design or production of a to d above

Note 1: This entry does not require review of items that meet all the following conditions:

a. Items are generally available to the public by being sold, without restriction, from stock at retail selling points by means of any of the following:

a.1. Over the counter transactions;

a.2. Mail order transactions;

a.3. Electronic transactions;

a.4. Telephone call transactions;

b. The cryptographic functionality cannot easily be changed by the user;

c. Items are designed for installation by the user without further substantial support by the supplier; and

d. When necessary, details of the items are accessible and will be provided, upon request, to the appropriate authority in the exporter's country in order to ascertain compliance with conditions described in paragraphs a to c above.

Note 2: This entry does not require review of:

a. "Personalized smart cards" where the cryptographic capability is restricted for use in equipment or systems excluded from control under paragraphs b to f of this note. If a "personalized smart card" has multiple functions, the control status of each function is addressed individually;

b. Receiving equipment for radio broadcast, pay television, or similar restricted audience broadcast of the consumer type, without digital encryption except that exclusively used for sending the billing or programme-related information back to the broadcast providers;

c. Equipment where the cryptographic capability is not user-accessible and which is specially designed and limited to allow any of the following:

c.1. Execution of copy-protected software;

c.2. Access to any of the following:

c.2.a. Copy-protected contents stored on read-only media; or

c.2.b. Information stored in encrypted form on media (e.g. in connection with intellectual property rights) where the media is offered for sale in identical sets to the public; or

c.3. One-time copying of copyright protected audio/video data;

d. Cryptographic equipment specially designed and limited for banking use or money transactions;

Technical Note: "Money transactions" includes the collection and settlement of fares or credit functions.

e. Portable or mobile radio-telephones for civil use (e.g. for commercial civil cellular radio-communications systems) that are not capable of end-to-end encryption;

f. Cordless telephone equipment not capable of end-to-end encryption where the maximum effective range of unboosted cordless operation (i.e., a single, unrelayed hop between terminal and home basestation) is less than 400 metres according to the manufacturer's specifications.

3. **Specialized electronic instrumentation and test equipment**

a. Signal analysers from 4 through 31 GHz;

b. Microwave test receivers from 4 through 40 GHz;

c. Network analysers from 4 through 40 GHz;

d. Signal generators from 4 through 31 GHz;

e. Travelling wave tubes, pulsed or continuous wave, as follows:

e.1. Coupled cavity tubes, or derivatives thereof;

e.2. Helix tubes, or derivatives thereof, having any of the following characteristics:

e.2.a.1. An "instantaneous bandwidth" of half an octave or more; and

e.2.a.2. The product of the rated average output power (expressed in kW) and the maximum operating frequency (expressed in GHz) of more than 0.2;

e.2.b.1. An "instantaneous bandwidth" of less than half an octave; and

e.2.b.2. The product of the rated average output power (expressed in kW) and the maximum operating frequency (expressed in GHz) of more than 0.4;

f. Equipment specially designed for the manufacture of electron tubes, optical elements and specially designed components therefor;

g. Hydrogen/hydrogen-isotope thyratrons of ceramic-metal construction and rate for a peak current of 500 A or more;

h. Digital instrumentation data recorders having any of the following characteristics:

h.1. A maximum digital interface transfer rate exceeding 175 Mbit/s; or

h.2. Space qualified;

i. Radiation and radioisotope detection and simulation equipment, analysers, software, and Nuclear Instrumentation Module (NIM) componentry and mainframes;

j. Software specially designed for the development or production of the components or equipment in a to i above;

k. Technology for the design, development or production of the components or equipment in a to i above.

Note: Items a to e above do not require review when contained in contracts for civil telecommunications projects, including ongoing maintenance, operation, and repair of the system, certified for civil use by the supplier government.

4. **Image intensifier night vision systems, tubes, and components**

a. Night vision systems (i.e., cameras or direct view imaging equipment) using an image intensifier tube that utilizes a microchannel plate and an S-20, S-25, GaAs, or GaInAs photocathode;

b. Image intensifier tubes that utilize a microchannel plate and an S-20, S-25, GaAs, or GaInAs photocathode with a sensitivity of 240 μA/lm and below;

c. Microchannel plates of 15 μm and above.

d. Software specially designed for the development or production of the components or equipment in a to c above;

e. Technology for the design, development or production of the components or equipment in a to c above.

5. Specialized radar equipment

a. All airborne radar equipment and specially designed components therefor, not including radars specially designed for meteorological use or Mode 3, Mode C and Mode S civilian air traffic control equipment specially designed to operate only in the 960 to 1215 MHz band;

Note: This entry does not require initial review of airborne radar equipment installed as original equipment in civil-certified aircraft operating in Iraq.

b. All ground-based primary radar systems that are capable of aircraft detection and tracking.

c. Software specially designed for the development or production of the components or equipment in a. and b. above;

d. Technology for the design, development or production of the components or equipment in a and b above.

6. Non-civil-certified aircraft; all aero gas turbine engines; unmanned aerial vehicles; and parts and components

a. Non-civil-certified aircraft and specially designed parts and components therefor. This does not include parts and components solely designed to accommodate a carrying of passengers including seats, food services, environmental conditioning, lighting systems, and passenger safety devices;

Note: Civil-certified aircraft consist of aircraft that have been certified for general civil use by the civil aviation authorities of the original equipment manufacturer's government.

b. All gas turbine engines except those designed for stationary power generation applications, and specially designed parts and components therefor;

c. Unmanned aerial vehicles and parts and components therefor having any of the following characteristics:

c.1. Capable of autonomous operation;

c.2. Capable of operating beyond line of sight;

c.3. Incorporating a satellite navigation receiver (i.e. Global Positioning System);

c.4. A gross take-off weight greater than 25 kg (55 lbs);

d. Parts and components for civil-certified aircraft (not including engines).

Note 1: This does not include parts and components for normal maintenance of non-Iraqi owned or leased civil-certified aircraft that were originally qualified or certified by the original equipment manufacturer for that aircraft.

Note 2: For Iraqi-owned or leased civil aircraft, review of parts and components for normal maintenance is not required if the maintenance is performed in a country other than Iraq.

Note 3: For Iraqi-owned or leased aircraft, parts and components are subject to review except for equivalent one-for-one replacement of parts and components that have been certified or qualified by the original equipment manufacturer for use on that aircraft.

Note 4: Any specially designed parts or components that improve the performance of the aircraft remain subject to review.

e. Technology, including software, for the design, development and production of equipment and parts/components for the items in sub-items a to d above.

9. **Marine acoustic equipment**

a. Marine acoustic systems, equipment and specially designed components therefor, as follows:

a.1. Active (transmitting or transmitting-and-receiving) systems, equipment and specially designed components therefor, as follows:

a.1.a. Wide-swath bathymetric survey systems designed for seabed topographic mapping designed to measure depths less than 600 m below the water surface;

a.2. Passive (receiving, whether or not related in normal application to separate active equipment) systems, equipment and specially designed components thereof as follows:

a.2.a. Hydrophones with sensitivity better than minus 220 dB at any depth with no acceleration compensation;

a.2.b. Towed acoustic hydrophone arrays designed or able to be modified to operate at depths exceeding 15 metres but not exceeding 35 metres;

a.2.b.1. Heading sensors with an accuracy better than +/-0.5°;

a.2.c. Processing equipment specially designed for towed acoustic hydrophone arrays;

a.2.d. Processing equipment, specially designed for bottom or bay cable systems;

b. Correlation-velocity sonar log equipment designed to measure the horizontal speed of the equipment carrier relative to the seabed.

Technical Note: Hydrophone sensitivity is defined as twenty times the logarithm to the base 10 of the ratio of rms output voltage to a 1 V rms reference, when the hydrophone sensor, without a pre-amplifier, is placed in a plane wave acoustic field with an rms pressure of 1μPa. For example, a hydrophone of -160 dB (reference 1 V per μPa) would yield an output voltage of 10^{-8} V in such a field, while one of -180 dB sensitivity would yield only 10^{-9} V output. Thus -169 dB is better than -180 dB.

10. **Charges and devices specially designed for civil projects, and containing small quantities of the following energetic materials:**

1. Cyclotetramethylenetetranitramine (HMX) (CAS 2691–41-0) octahydro-1,3,5,7-tetranitro-1,3,5,7-tetrazine; 1,3,5,7-tetranitro-1,3,5,7-tetraza-cyclooctane; (octogen, octogene);
2. Hexanitrostilbene (HNS) (CAS 20062–22-0);
3. Triaminotrinitrobenzene (TATB) (CAS 3058–38-6);
4. Triaminoguanidinenitrate (TAGN) (CAS 4000–16-2);
5. Dinitroglycoluril (DNGU, DINGU) (CAS 55510–04-8): tetranitroglycoluril (TNGU, SORGUYL) (CAS 55510–03-7);
6. Tetranitrobenzotriazolobenzotriazole (TACOT) (CAS 25243–36-1);
7. Diaminohexanitrobiphenyl (DIPAM) (CAS 17215–44-0);
8. Picrylaminodinitropyridine (PYX) (CAS 38082–89-2);
9. 3-nitro-1,2,4-triazol-5-one (NTO or ONTA) (CAS 932–64-9);
10. Cyclotrimethylenetrinitramine (RDX) (CAS 121–82-4); cyclonite; T4; hexahydro-1,3,5-trinitro-1, 3, 5-triazine; 1, 3, 5-trinitro-1, 3, 5-triaza-cyclohexane (hexogen, hexogene);
11. 2-(5-cyanotetrazolato) penta amine-cobalt (III) -perchlorate (or CP) (CAS 70247–32-4);
12. cis-bis (5-nitrotetrazolato) tetra amine-cobalt (III) -perchlorate (or BNCP);

13. 7-Amino-4,6-dinitrobenzofurazane-l-oxide (ADNBF) (CAS 97096–78-1); amino dinitrobenzofuroxan;

14. 5,7-diamino-4,6-dinitrobenzofurazane-l-oxide (CAS 117907–74-1), (CL-14 or diamino dinitrobenzofuroxan);

15. 2,4,6-trinitro-2,4,6-triazacyclohexanone (K-6 or Keto-RDX) (CAS 115029–35-1);

16. 2,4,6,8-tetranitro-2,4,6,8-tetraazabicyclo [3,3,0]-octanone-3 (CAS 130256–72-3) (tetranitrosemiglycouril, K-55 or keto-bicyclic HMX);

17. 1,1,3-trinitroazetidine (TNAZ) (CAS 97645–24-4);

18. 1,4,5,8-tetranitro-1,4,5,8-tetraazadecalin (TNAD) (CAS 135877–16-6);

19. Hexanitrohexaazaisowurtzitane (CAS 135285–90-4) (CL-20 or HNIW), and chlathrates of CL-20;

20. Trinitrophenylmethylnitramine (tetryl) (CAS 479–45-8);

21. Any explosive with a detonation velocity exceeding 8,700 m/s or a detonation pressure exceeding 34 GPa (340 kbar);

22. Other organic explosives yielding detonation pressures of 25 Gpa (250 kbar) or more that will remain stable at temperatures of 523 K (250°C) or higher for periods of 5 minutes or longer;

23. Any other United Nations-Class 1.1 solid propellant with a theoretical specific impulse (under standard conditions) of more than 250 seconds for non-metallized, or more than 270 seconds for aluminized compositions; and

24. Any United Nations-Class 1.3 solid propellant with a theoretical specific impulse of more than 230 s for non-halogenised, 250 seconds for non-metallized and 266 seconds for metallized compositions.

Note: When not part of a charge or device specifically designed for civil projects in small quantities, the energetic materials above are considered military items and are subject to Security Council resolution 687 (1991), paragraph 24.

11. Specialized vibration test equipment

Vibration test equipment and specially designed parts and components capable of simulating flight conditions of less than 15,000 metres;

a. Software specially designed for the development or production of the components or equipment above;

b. Technology for the design, development or production of the components or equipment above.

12. Specialized semiconductor manufacturing equipment

a. Items specially designed for the manufacture, assembly, packaging, test, and design of semiconductor devices, integrated circuits and assemblies with a minimum feature size of 1.0 µm, including:

a.1 Equipment and materials for plasma etching, chemical vapour deposition, lithography, mask lithography, masks, and photoresists;

a.2 Equipment specially designed for ion implantation, ion-enhanced or photo-enhanced diffusion, having any of the following characteristics:

a.2.a. Beam energy (accelerating voltage) exceeding 200 keV, or a.2.b. Optimized to operate at a beam energy (accelerating voltage) of less than 10 keV;

a.3. Surface finishing equipment for the processing of semiconductor wafers as follows:

a.3.a. Specially designed equipment for backside processing of wafers thinner than 100 μm and the subsequent separation thereof; or

a.3.b. Specially designed equipment for achieving a surface roughness of the active surface of a processed wafer with a two-sigma value of 2 μm or less, total indicator reading;

a.4. Equipment, other than general-purpose computers, specially designed for computer-aided design of semiconductor devices or integrated circuits;

a.5. Equipment for the assembly of integrated circuits, as follows:

a.5.a. "Stored program controlled" die bonders having all of the following characteristics:
a.5.a.1. Specially designed for "hybrid integrated circuits";

a.5.a.2. X-Y stage positioning travel exceeding 37.5 x 37.5 mm; and

a.5.a.3. Placement accuracy in the X-Y plane of finer than ± 10 μm;

a.5.b. Stored program controlled equipment for producing multiple bonds in a single operation (e.g., beam lead bonders, chip carrier bonders, tape bonders);

a.5.c. Semi-automatic or automatic hot cap sealers, in which the cap is heated locally to a higher temperature than the body of the package, specially designed for ceramic microcircuit packages and that have a throughput equal to or more than one package per minute.

b. Software specially designed for the development or production of the components or equipment in a above;

c. Technology for the development, design or production of the components or equipment in a above.

14. Certain Biological Equipment

a. Equipment for the microencapsulation of live micro-organisms and toxins in the range of 1 to 15 μm particle size, to include interfacial polycondensors and phase separators.

Annex 2

Procedures

1. Applications for each export of commodities and products should be forwarded to the Office of the Iraq Programme by the exporting States through permanent or observer missions, or by United Nations agencies and programmes. Each application should include technical specifications and end-user information in order for a determination to be made on whether the contract contains any item referred to in paragraph 24 of Security Council resolution 687 (1991) of 3 April 1991 or any item on the Goods Review List. A copy of the concluded contractual arrangements should be attached to the application.

2. Each application and the concluded contractual arrangements will be reviewed by customs experts in the Office of the Iraq Programme and experts from the United Nations Monitoring, Verification and Inspection Commission, consulting the International Atomic Energy Agency as necessary, in order to determine whether the contract contains any item referred to in paragraph 24 of resolution 687 (1991) or included on the Goods Review List. The Office will identify an official to act as a contact point on each contract.

3. In order to verify that the conditions set out in paragraph 2 above are met, the experts may request additional information from the exporting States or Iraq. The exporting States or Iraq should provide the additional information requested within a period of 60 days. If the experts do

not require any additional information within four working days, the procedure under paragraphs 5, 6 and 7 below applies.

4. If the experts determine that the exporting State or Iraq has not provided the additional information within the period set out in paragraph 3 above, the application will not proceed further until the necessary information has been provided.

5. If the experts of the Commission, consulting the Agency as necessary, determine that the contract contains any item referred to in paragraph 24 of resolution 687 (1991), the application shall be considered lapsed and be returned to the mission or agency which submitted it.

6. If the experts of the Commission, consulting the Agency as necessary, determine that the contract contains any item referred to on the Goods Review List, they will forward to the Security Council Committee established by resolution 661 (1990) full details of such items, including the technical specifications of the items and the associated contract. In addition, Office of the Iraq Programme and the Commission, consulting the Agency as necessary, shall provide to the Committee an assessment of the humanitarian, economic and security implications, of the approval or denial of the items referred to on the List, including the viability of the whole contract in which the listed item appears and the risk of diversion of the item for military purposes. The Office shall also provide information on the possible end-use monitoring of such items. The Office will immediately inform the missions or agencies concerned. The remaining items in the contract, which are determined as not included in the List, will be processed according to the procedure in paragraph 7 below.

7. If the experts of the Commission, consulting the Agency as necessary, determine that the contract does not contain any item referred to in paragraph 2 above, the Office of the Iraq Programme will immediately inform the Government of Iraq and the exporting State in written form. The exporter will be eligible for payment upon verification by Cotecna that the goods have arrived as contracted in Iraq.

8. If the mission or agency submitting a contract disagrees with the decision to refer the contract to the Committee, it may appeal against that decision within two business days to the Executive Director of the Office of the Iraq Programme. In that event, the Executive Director of Office, in consultation with the Executive Chairman of the United Nations Monitoring and Verification Commission, will appoint experts to reconsider the contract in accordance with the procedures set out above. Their decision, endorsed by the Executive Director and Executive Chairman, will be final and no further appeals will be permitted. The application shall not be forwarded to the Committee until the appeal period has expired without an appeal being filed.

9. Experts from the Office of the Iraq Programme and the Commission who review contracts should be drawn from the broadest possible geographical base.

10. The Secretariat will report to the Committee at the end of each 180-day phase on the contracts submitted and approved for export to Iraq during this period and provide to any member of the Committee at the member's request copies of applications for information purposes only.

11. Any Committee member may call for an urgent meeting of the Committee to consider revising or revoking these procedures. The Committee will keep these procedures under review and, in the light of experience, will amend them as appropriate.

Decisions

On 4 April 2002, the President of the Security Council addressed the following letter to the Secretary-General:[343]

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[343] S/2002/349.

"In accordance with the provisions of Security Council resolution 689 (1991) of 9 April 1991 and in the light of your report of 28 March 2002,[349] the members of the Council have reviewed the question of the termination or continuation of the United Nations Iraq-Kuwait Observation Mission and its modalities of operation.

"I have the honour to inform you that the members of the Council concur with your recommendation that the Mission should be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 6 October 2002."

At its 4531st meeting, on 14 May 2002, the Council considered the item entitled "The situation between Iraq and Kuwait".

Resolution 1409 (2002)
of 14 May 2002

The Security Council,

Recalling its relevant resolutions, including resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1352 (2001) of 1 June 2001, 1360 (2001) of 3 July 2001 and 1382 (2001) of 29 November 2001, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need, as a temporary measure, to continue to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990 in accordance with the provisions of those resolutions,

Recalling its decision in resolution 1382 (2001) to adopt the proposed Goods Review List and procedures for its application annexed to resolution 1382 (2001), subject to any refinements to them agreed by the Council in the light of further consultations, for implementation beginning on 30 May 2002,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, and the provisions of paragraphs 2, 3 and 5 to 13 of resolution 1360 (2001), and subject to paragraph 15 of resolution 1284 (1999) and the other provisions of the present resolution, shall remain in force for a new period of 180 days beginning at 0001 hours eastern daylight time on 30 May 2002;

2. *Decides also* to adopt the revised Goods Review List[350] and the revised attached procedures for its application for implementation beginning at 0001 hours eastern daylight time on 30 May 2002 as a basis for the humanitarian programme in Iraq as referred to in resolution 986 (1995) and other relevant resolutions;

3. *Authorizes* States, beginning at 0001 hours eastern daylight time on 30 May 2002, to permit, notwithstanding the provisions of paragraph 3 of resolution 661 (1990) and subject to the procedures for the application of the Goods Review List, the sale or supply of any commodities or products other than commodities or products referred to in paragraph 24 of resolution 687 (1991)

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[349] S/2002/323.

[350] S/2002/515, annex.

as it relates to military commodities and products, or military-related commodities or products covered by the List pursuant to paragraph 24 of resolution 687 (1991) whose sale or supply to Iraq has not been approved by the Security Council Committee established by resolution 661 (1990);

4. *Decides* that, beginning at 0001 hours eastern daylight time on 30 May 2002, the funds in the escrow account established pursuant to paragraph 7 of resolution 986 (1995) may also be used to finance the sale or supply to Iraq of those commodities or products that are authorized for sale or supply to Iraq under paragraph 3 above, provided that the conditions of paragraph 8 (*a*) of resolution 986 (1995) are met;

5. *Decides also* to conduct regularly thorough reviews of the Goods Review List and the procedures for its implementation and to consider any necessary adjustment, and decides that the first such review and consideration of necessary adjustment shall be conducted prior to the end of the 180-day period established pursuant to paragraph 1 above;

6. *Decides further* that, for the purposes of the present resolution, references in resolution 1360 (2001) to the 150-day period established by that resolution shall be interpreted to refer to the 180-day period established pursuant to paragraph 1 above;

7. *Requests* that the Secretary-General and the submit at least two weeks prior to the end of the 180-day period the reports referred to in paragraphs 5 and 6 of resolution 1360 (2001);

8. *Requests* the Secretary-General, in consultation with interested parties, to submit an assessment report on the implementation of the Goods Review List and its procedures by the end of the next period of implementation of resolution 986 (1995) beginning on 30 May 2002 and to include in the report recommendations on any necessary revision of the List and its procedures, including the processing of contracts under paragraph 20 of resolution 687 (1991) and the utility of the distribution plan as referred to in paragraph 8 (*a*) (ii) of resolution 986 (1995);

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 4531st meeting.

	Procedures
1.	The following procedures replace paragraphs 29 to 34 of document S/1996/636 and other existing procedures, notably for the implementation of the relevant provisions of paragraphs 17, 18 and 25 of resolution 1284 (1999) related to the processing of applications to be financed from the escrow account established pursuant to paragraph 7 of resolution 986 (1995).
2.	Each application (the "Notification or Request to Ship Goods to Iraq" as attached to these procedures, hereinafter referred to as "the application") for the sale or supply of commodities or products, to include services ancillary to the supply of such commodities and products, to Iraq to be financed from the escrow account established pursuant to paragraph 7 of resolution 986 (1995) must be forwarded to the Office of the Iraq Programme by the exporting States through permanent or observer Missions, or by United Nations agencies and programmes. Each application should include complete technical specifications, as requested in the standard application form, concluded arrangements, e.g., contracts, and other relevant information, including, if known, whether the application contains any item(s) covered by the Goods Review List, in order for a determination to be made as to whether the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the List.
3.	Each application will be reviewed and registered by Office of the Iraq Programme within 10 working days. In the case of a technically incomplete application, the Office may request additional information before transmitting the application to the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency. If the Office determines that the requested information is not provided within 90 days, the application will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not received within a further 90 days, the application will lapse. The Office should notify the submitting Mission or United Nations agency in writing of any change in the status of the application. The Office will identify an official to act as a contact point on each application.
4.	After registration of the application by the Office of the Iraq Programme, each application will be evaluated by technical experts from the Commission and the Agency in order to determine whether the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the Goods Review List (GRL item(s)). At their discretion and subject to the approval of the Security Council Committee established by resolution 661 (1990), the Commission and the Agency may issue guidance regarding what categories of applications do not contain any item(s) covered by paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the List. The Commission, the Agency and the Office, working in consultation, may develop a procedure whereby the Office may evaluate and approve applications that, based on this guidance, fall within these categories.
5.	Military goods and services are prohibited for sale or supply to Iraq under paragraph 24 of resolution 687 (1991) and are not subject to review under the Goods Review List. For consideration of dual-use goods and services referred to in paragraph 24 of resolution 687 (1991), the Commission and the Agency should process those goods and services pursuant to paragraph 9 of these procedures.

6. Upon receipt of a registered application from the Office of the Iraq Programme, the Commission and/or the Agency will have 10 working days to evaluate an application as set forth in paragraphs 4 and 5 above. Absent action by the Commission and/or the Agency within the 10-working-day period, the application will be considered approved. In the course of conducting the technical evaluation as set out in paragraphs 4 and 5 above, the Commission and/or the Agency may request additional information from the submitting Mission or United Nations agency. The submitting Mission or United Nations agency should provide the additional information requested within a period of 90 days. Once the Commission and/or the Agency receive the requested information, the Commission and/or the Agency will have 10 working days to evaluate the application under the procedure set forth in paragraphs 4 and 5 above.

7. If the Commission and/or the Agency determine that the submitting Mission or United Nations agency has not provided the requested additional information within the 90-day period set out in paragraph 6 above, the application will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not provided within a further 90 days, the application will lapse. The Office of the Iraq Programme should notify the submitting Mission or United Nations agency in writing of any change in the status of the application.

8. If the Commission and/or the Agency determine that the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, the application shall be considered ineligible for approval for the sale or supply to Iraq. The Commission and/or the Agency will provide to the submitting Mission or United Nations agency through the Office of the Iraq Programme a written explanation of this determination.

9. If the Commission and/or the Agency determine that the application contains any GRL item(s), they will immediately inform, through the Office of the Iraq Programme, the submitting Mission or United Nations agency. Pursuant to paragraph 11 below, absent a request by the submitting Mission or United Nations agency for reconsideration within 10 working days, the Office will forward the application containing the GRL item(s) to the Committee for the purpose of evaluating whether the GRL item(s) may be sold or supplied to Iraq. The Commission and/or the Agency will provide to the Committee through the Office a written explanation of that determination. In addition, the Office, the Commission and/or the Agency, at the request of the submitting Mission or United Nations agency, will provide to the Committee an assessment of the humanitarian, economic and security implications, of the approval or denial of the GRL item(s), including the viability of the whole contract in which the GRL item(s) appears and the risk of diversion of the item(s) for military purposes. The assessment provided by the Office to the Committee should be transmitted in parallel by the Office to the submitting Mission or United Nations agency. The Office will immediately inform appropriate United Nations agents of the finding of a GRL item(s) in the application and that the GRL item(s) may not be sold or supplied to Iraq unless otherwise notified by the Office that the procedures set forth in paragraphs 11 or 12 below have resulted in approval for sale or supply of the GRL item(s) to Iraq. The remaining items in the application, which are determined as not covered by the Goods Review List, will be considered approved for sale or supply to Iraq and, at the discretion of the submitting Mission or United Nations agency, and with the consent of the contracting parties, will be processed according to the procedure in paragraph 10 below. The relevant approval letter may be issued for such approved items under request from the submitting Mission or United Nations agency.

10. If the Commission and/or the Agency determine that the application does not contain any item referred to in paragraph 4 above, Office of the Iraq Programme will immediately inform the Government of Iraq and the submitting Mission or United Nations agency in written form. The exporter will be eligible for payment from the escrow account established pursuant to paragraph 7 of resolution 986 (1995) upon verification by United Nations agents that the items in the application have arrived in Iraq as contracted. The Office and the United Nations Treasury will inform the banks within five working days that the items in the application have arrived in Iraq.

11. If the Mission or United Nations agency submitting an application disagrees with the determination that an application contains an item(s) covered by paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the Goods Review List, it may request a reconsideration of this decision, based on the provision of technical information and/or explanations not previously included in the application, within 10 working days to the Office of the Iraq Programme. In that event, the Commission and/or the Agency will reconsider the item(s) in accordance with the procedures set out in paragraphs 4 to 6 above. The decision of the Commission and/or the Agency will be final and no further reconsideration will be permitted. The Commission and/or the Agency will provide to the Committee through the Office a written explanation of the final decision of the reconsideration process. Applications shall not be forwarded to the Committee until the reconsideration period has expired without a request being filed.

12. Upon receipt of an application pursuant to paragraphs 9 or 11 above, the Committee will have 10 working days to determine under existing procedures whether the item(s) may be sold or supplied to Iraq. The Committee may take a decision on an item(s) according to the following options: (*a*) approval; (*b*) approval subject to conditions as stipulated by the Committee; (*c*) denial; (*d*) request for additional information. Absent action by the Committee within the 10-working-day period, the application will be considered approved. A Committee member may request additional information. If the additional information is not provided in a 90-day period, the item(s) will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not provided within a further 90 days, the application will be considered lapsed. The Office of the Iraq Programme should notify the submitting Mission or United Nations agency in writing of any change in the status of the application. The Committee will have 20 working days to evaluate the requested additional information once provided by the submitting Mission or United Nations agency. Absent action by the Committee during the 20-working-day period, the item will be considered approved.

13. Where the Committee does not approve an item(s) for sale or supply to Iraq, the Committee will notify the submitting Mission or United Nations agency with an explanation through the Office of the Iraq Programme accordingly. The submitting Mission or United Nations agency will have 30 working days to petition the Office to have the Committee reconsider its decision based on new information not previously included in the application as reviewed by the Committee. A decision by the Committee on a petition received during this period shall be made within five working days and shall be considered final. Absent such a petition within 30 working days, the item will be considered ineligible for sale or supply to Iraq and the Office will notify the submitting Mission or United Nations agency accordingly.

14. If an item(s) is found ineligible for sale or supply to Iraq or is considered lapsed, the supplier may submit a new application based on either a new or an amended contract, and the new application will be evaluated under the procedures enumerated in this document and will append the original application (for information purposes only and to facilitate review).

15. If an item(s) is substituted for an item(s) that is either found ineligible for sale or supply to Iraq or is considered lapsed, the new item(s) will be submitted as a new application under the procedures enumerated in this document and will append the original application (for information purposes only and to facilitate review).

16. Experts from the Office of the Iraq Programme, the Commission and the Agency who evaluate applications should be drawn from the broadest possible geographical base.

17. The United Nations Secretariat will report to the Committee at the end of each phase on the status of all applications submitted during this period, including contracts recirculated pursuant to paragraph 18 below. The Secretariat will provide to members of the Committee at their request copies of applications approved by the Office of the Iraq Programme, the Commission and the Agency, within three working days after their approval, for information purposes only.

18. The Office of the Iraq Programme will divide contracts currently on hold into two categories – category A and category B. Category A will contain contracts on hold that have been designated by the Commission as containing item(s) on one or more of the Security Council resolution 1051 (1996) lists. Category A will also contain contracts that were both processed before the Council adopted its resolution 1284 (1999) and assessed by one or more members of the Sanctions Committee as containing item(s) on one or more of the resolution 1051 (1996) lists. The Office will consider contracts in category A to be "returned to the submitting Mission or United Nations agency" and will notify the submitting Mission or United Nations agency accordingly, including national comments if possible. The submitting Mission or United Nations agency may submit a contract in category A as a new application under the Goods review List procedures. In category B will be all other contracts currently on hold. Contracts in category B will be recirculated by Office under the List procedures. The Office will append the original committee registration number and national comments, for information purposes only, to any recirculated contracts. The Office should start this recirculation procedure within 60 days of adoption of the present resolution and should complete the recirculation process within 60 days thereafter.

May 2002 – Revised form

Security Council Committee Established by Resolution 661 (1990)
Concerning the Situation between Iraq and Kuwait

NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ

For further guidance regarding completion of application please consult OIP web site (www.un.org/Depts/oip/index)

(TO BE COMPLETED BY THE SECRETARIAT)

COMM. No.	REGISTRATION DATE	DATE RECEIVED BY UNMOVIC/IAEA (if applicable)	DATE SENT TO THE COMMITTEE (if applicable)

(TO BE COMPLETED BY PROSPECTIVE EXPORTING COUNTRY or INTERNATIONAL ORGANIZATION)

1. MISSION OR INTERNATIONAL ORGANIZATION	2. CERTIFYING SIGNATURE AND OFFICIAL SEAL
3. DATE OF SUBMISSION	4. MISSION REFERENCE No.

5. GOODS TO BE SHIPPED (General description of the goods)	6. NUMBER OF LINE ITEMS ON THE EXCEL FORM ATTACHMENT	7. TOTAL VALUE	8. CURRENCY ISO CODE

9. EXPORTER **Name:** **Address:** **Country:** **Phone/Fax/E-mail:**	10. ORIGIN of GOODS (if different from applicant State)
11. RECEIVING COMPANY/ORG. **Name:** **Address:** **Phone/Fax/E-mail:**	12. SHIPPING ARRANGEMENTS: Select ONE Point of Entry into Iraq Trebil Al Waleed Zakho Umm Qasr
13. END USER entity (if different from receiving company/org.) **Name:** **Address:** **Phone/Fax/E-mail:**	14. END USE Provide details of intended end-use (attach additional sheets if necessary)

15. METHOD OF PAYMENT

From the Iraq Account in accordance with SC resolution 986 (1995)

By other arrangement (in this case, disregard page 2)

In this case, please fill out PAGE 2
(Relevant documentation including contract(s) must be attached)

16. ADDITIONAL INFORMATION
(Attach additional sheet if necessary)

IF THIS NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ IS TO BE PAID FROM THE IRAQ ACCOUNT
IN ACCORDANCE WITH SC RESOLUTION 986 (1995) PLEASE FILL OUT THESE ADDITIONAL BOXES
(see box 15 on page 1)

MISSION REFERENCE No.:

17. IDENTICAL GOODS PREVIOUSLY SUBMITTED :

Indicate whether or not you have previously submitted an application(s) for IDENTICAL goods.

YES **NO** **UNABLE TO DETERMINE**

If **YES** provide Comm. number reference(s) with respective item number(s).

18. DETAILED LIST OF GOODS

Indicate whether or not the scope of supply includes any spare parts, accessories, sets, kits, toolboxes, tools, equipment, special tools, lots or consumables.

YES **NO**

If **YES** indicate whether or not all components of the spare parts, accessories, sets, kits, tool boxes, tools, equipment, special tools, lots or consumables have been listed as separate line items with the relevant description, quantity and price on the attached Excel form application.

YES **NO** (in this case, the document will not be registered by the Secretariat)

19. TECHNICAL INFORMATION :

Indicate whether or not the scope of supply includes (separately or as part of larger item) any of the goods and/or technology specified on the OIP web site (www.un.org/Depts/oip/cpmd/delays)

YES **NO**

If **YES** indicate whether or not the relevant technical specification form for each item has been completed and attached to the application.

YES **NO**

20. GRL RELATED ITEM(S) AND/OR TECHNOLOGY :

Indicate whether or not the scope of supply includes any item included in the Goods Review List (GRL). The GRL may be accessed via the OIP web site (www.un.org/Depts/oip....)

YES **NO** **UNABLE TO DETERMINE**

If **YES** indicate below the line item number and description as from the Excel sheet of these goods considered to be included on the GRL.

Line Item No.	Description	GRL Ref. No.

(Attach additional sheets if necessary)

IMPORTANT NOTICE

The following attachments are compulsory:

1. Excel form application listing IN DETAIL all goods (including all spare parts, accessories ....) + diskette
2. Contract signed by both parties with all attachments, enclosures and annexes
3. All relevant documentations and/or technical specifications of the goods (e.g. brochures, pictures, diagrams, chemical composition, material composition, etc.)

For further guidance regarding completion of application please consult OIP web site (www.un.org/Depts/oip/index)

PROTECTION OF CIVILIANS IN ARMED CONFLICT

[*Resolutions or decisions on this question were also adopted by the Security Council in 1999 and 2000.*]

Decisions

At its 4312th meeting, on 23 April 2001, the Security Council decided to invite the representatives of Argentina, Australia, Bahrain, Canada, Egypt, India, Iraq, Japan, Jordan, the Libyan Arab Jamahiriya, Malaysia, Mexico, New Zealand, Pakistan, the Republic of Korea, Sierra Leone, South Africa, Sweden, the Syrian Arab Republic, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"Protection of civilians in armed conflict

> "Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/2001/331)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 19 April 2001 to the President of the Council,[351] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation to the Permanent Observer of Switzerland to the United Nations to participate in the discussion of the item.

At the same meeting, in response to the request dated 20 April 2001 from the Permanent Representative of Malaysia to the United Nations addressed to the President of the Security Council,[352] the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference to the United Nations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Mary Robinson, United Nations High Commissioner for Human Rights.

Upon resumption of the meeting, on 23 April 2001, the Council further decided to invite the representatives of Indonesia, Israel and Nepal to participate, without vote, in the discussion of the item.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

On 21 June 2001, the President of the Security Council addressed the following letter to the Secretary-General:[353]

> "The members of the Security Council, considering your report of 30 March 2001 on the protection of civilians in armed conflict,[354] are of the view that further advice of the Secretary-General would be useful in the consideration by the Council of the issues contained in the report. This procedure is being followed on an exceptional basis.

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[351] Document S/2001/388, incorporated in the record of the 4312th meeting.

[352] Document S/2001/389, incorporated in the record of the 4312th meeting.

[353] S/2001/614.

[354] S/2001/331.

"The members of the Council welcome your report of 30 March 2001. The Council held an open debate on the report on 23 April 2001, at which a number of practical ideas for implementation were proposed.[355] The members of the Council believe that the report should be considered more widely within the United Nations system, and therefore recommend that it should be transmitted as an official document to the General Assembly. Recognizing the sensitivity and complexity of the issues involved, the members of the Council would suggest the following for consideration by the Secretary-General:

"(1) The recommendations on the protection of civilians in armed conflict contained in the first report of the Secretary-General, of 8 September 1999,[356] where a consensus exists, as reflected in resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000, should be reorganized by the Secretariat in collaboration with the Council into different groups, with the aim of clarifying responsibilities, enhancing cooperation and facilitating implementation of the recommendations in the context of the intention of the Council to take into account relevant recommendations contained in the report when carrying out its work. The recommendations in the second report[354] should be reorganized based on the spirit, principles and approaches of resolutions 1265 (1999) and 1296 (2000), taking into account the different responsibilities and mandates of the United Nations organs and the need to further strengthen coordination among the organizations of the entire United Nations system so as to facilitate the further deliberation by the Council thereon.

"(2) The Council encourages the Secretary-General to further ensure closer cooperation between the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations, of the Secretariat, including by establishing a cross-cutting team of the Office and the Department, to facilitate due consideration of issues related to the protection of civilians in the design, planning and implementation of peacekeeping operations.

"(3) In order to facilitate consideration by the Council, whenever appropriate, of issues pertaining to protection of civilians in its deliberations on the establishment, change or close of peacekeeping mandates, an aide-memoire listing those issues that are relevant in this regard should be drafted in close cooperation with the Council.

"(4) The members of the Council would welcome a briefing by the Secretariat on the status of these initiatives by November 2001, with a view to finalizing them as soon as feasible thereafter. To further ensure the necessary interaction between the Council and the Secretariat, it is also suggested half-day expert-level seminars should be organized on specific issues related to the implementation of the above initiatives. The first of these could be held at a suitable time prior to the briefing by the Secretariat.

"Against this background, and bearing in mind decisions of the Council in this respect, the members of the Council request the Secretary-General to submit a report no later than November 2002 on the status of implementation of the relevant recommendations with regard to protection of civilians in armed conflict, and any other matter he wishes to bring to the attention of the Council on this subject."

At its 4424th meeting, on 21 November 2001, the Council considered the item entitled "Protection of civilians in armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

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[355] See S/PV.4312 and S/PV.4312 (Resumption 1) and Corr.1.

[356] S/1999/957.

At its 4492nd meeting, on 15 March 2002, the Council considered the item entitled "Protection of civilians in armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 4493rd meeting, on 15 March 2002, the Council considered the item entitled "Protection of civilians in armed conflict".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[357]

> "The Security Council recalls its resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict, and the letter dated 21 June 2001 from the President of the Security Council addressed to the Secretary-General on the protection of civilians in armed conflict.[353]
>
> "The Council reaffirms its concern at the hardships borne by civilians during armed conflict, and recognizes the consequent impact this has on durable peace, reconciliation and development, bearing in mind its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and underlining the importance of taking measures aimed at conflict prevention and resolution.
>
> "Having considered the reports of the Secretary-General of 8 September 1999[356] and 30 March 2001[354] on the protection of civilians in armed conflict, and welcoming the close cooperation with the Secretary-General in the preparation of the aide-memoire attached to this statement, the Council adopts the aide-memoire as a means to facilitate its consideration of issues pertaining to protection of civilians. The Council further emphasizes the need, when considering ways to provide for the protection of civilians in armed conflict, to proceed on a case-by-case basis, taking into account the particular circumstances.
>
> "The Council will review and update the contents of the aide-memoire, as appropriate, and will remain actively seized of the matter."

"Annex

"Aide-memoire

"For the consideration of issues pertaining to the protection of civilians during the Security Council's deliberation of peacekeeping mandates

"In the letter dated 21 June 2001 from the President of the Security Council addressed to the Secretary-General,[353] the members of the Council welcomed the report of the Secretary-General of 30 March 2001 on the protection of civilians in armed conflict,[354] and were of the view that further advice of the Secretary-General would be useful in the consideration by Council of the issues contained in the report.

"In order to facilitate due consideration, whenever appropriate, of issues pertaining to the protection of civilians in its deliberations on the establishment, change, or close of peacekeeping operations, the members of the Council suggested that an aide-memoire listing those issues that are relevant in this regard should be drafted in close cooperation with the Council.

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[357] S/PRST/2002/6.

"This aide-memoire is the result of an inter-active consultation between the Council and the Secretariat, and comprises the experiences of a wide range of agencies within the United Nations, including the Inter-Agency Standing Committee. The document is based on previous consideration by the Council of those issues, including resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000. It highlights primary objectives for Security Council action, offers specific issues for consideration in meeting those objectives and lists previous Council resolutions and presidential statements which make reference to such concerns.

"Bearing in mind that each peacekeeping mandate has to be designed on a case-by-case basis, the document is not intended as a blueprint. The relevance and practicality of each issue described has to be considered and adapted to the specific conditions in each situation. As highlighted in the report of the Secretary-General entitled 'No exit without strategy',[358] the Council should reach agreement on clear and achievable mandates for peace operations, based on a common understanding of the conflict. In this respect, the mobilization, from the outset, of necessary funding and adequate resources needs to be an integral part of the Council's overall consideration.

"Most frequently, civilians are caught in circumstances of dire need where a peacekeeping operation has not been established. Such situations may require urgent attention by the Council. This aide-memoire may therefore also provide guidance in circumstances where the Council may wish to consider action outside the scope of a peacekeeping operation.

"As a practical tool, the aide-memoire is without prejudice to the provisions of Council resolutions and other decisions by the Council. The document can be regularly updated to reflect the latest concerns pertaining to the protection of civilians in armed conflict, including new trends and measures to address them.

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[358] S/2001/394

Protection of civilians in armed conflict

Primary objective	*Issues for consideration*	*Precedents*
Access to vulnerable populations		
To facilitate safe and unimpeded access to vulnerable populations as the fundamental prerequisite for humanitarian assistance and protection.	Appropriate security arrangements (e.g. role of multinational force; safe corridors; protected areas; armed escorts). Engagement in sustained dialogue with all parties to the armed conflict. Facilitating the delivery of humanitarian assistance. Safety and security of humanitarian and associated personnel. Compliance with obligations under relevant international humanitarian, human rights law and refugee law.	Resolutions 1379 (2001), para. 5, 1296 (2000), paras. 8 and 15, 1286 (2000), para. 9, 1314 (2000), para. 14, 1264 (1999), para. 2, 1265 (1999), paras. 4, 7 and 10, 1270 (1999), para. 2, 1272 (1999), para. 11, 1279 (1999), paras. 2 and 5 (*a*) and (*c*), and presidential statement S/PRST/2000/4
Separation of civilians and armed elements		
To maintain the humanitarian and civilian character of camps for refugees and internally displaced persons.	Ensuring cooperation with host State in provision of security measures, including through technical assistance and training. Provision of external and internal security for camps, including screening procedures to identify armed elements; disarmament measures; assistance from international civilian police and/or military observers. Regional approach to massive population displacement, including appropriate security arrangements. Location of camps at a significant distance from international borders and risk zones. Deployment of multi-disciplinary assessment and security evaluation teams.	Resolutions 1296 (2000), paras. 12 and 14, 1286 (2000), para. 12, 1279 (1999), para. 9, 1270 (1999), para. 19, 1244 (1999), paras. 9 and 18, and 1208 (1998), paras. 4–12.
Justice and reconciliation		
1. To put an end to impunity for those responsible for serious violations of international humanitarian, human rights and criminal law.	Establishment and use of effective arrangements for investigating and prosecuting serious violations of humanitarian and criminal law, at the local and/or international level (from the outset of the operation). Cooperation of States for the apprehension and surrender of alleged perpetrators. Technical assistance to strengthen local capacities for apprehension, investigation, and prosecution of alleged perpetrators.	Resolutions 1379 (2001), para. 9 (*a*), 1327 (2000), para. 1, 1325 (2000), para. 11, 1318 (2000), annex, sect. 1, 1315 (2000), paras. 1–3 and 8, 1314 (2000), paras. 2 and 9, 1261 (1999), para. 3, 1265 (1999), paras. 4 and 6, and 1270 (1999), para. 17.
	Excluding genocide, crimes against humanity and war crimes from amnesty provisions. Referral of situations, where possible and appropriate, to international tribunals.	Resolutions 1272 (1999), para. 16, 955 (1994), paras. 1 and 2, and 827 (1993), paras. 1–4.

Primary objectives	*Issues for consideration*	*Precedents*
2. To build confidence and enhance stability within the host State by promoting truth and reconciliation	Requesting that troop-contributing States investigate and prosecute, when appropriate, their peacekeepers and security personnel suspected of violating criminal law while in a host State Locally adapted arrangements for truth and reconciliation (technical assistance; funding; amnesties for lower-level perpetrators) Measures for restitution and reparations (trust funds; property commissions)	
Security, law and order		
To strengthen the capacity of local police and judicial systems to enforce law and order	Deployment of international civilian police to assist a host State with law enforcement Technical assistance for local police, judiciary and penitentiaries (mentoring; legislative drafting; integration of international personnel) Reconstruction and rehabilitation of institutional infrastructure (salaries; buildings; communications) Mechanisms for the monitoring and reporting of alleged violations of humanitarian, human rights and criminal law	Resolutions 1378 (2001), paras. 4 and 5, 1272 (1999), paras. 2, 3 (*a*) and (*c*) and 13, 1270 (1999), paras. 14 and 23, and 1244 (1999), paras. 11 (*i*) and (*j*)
Disarmament, demobilization, reintegration and rehabilitation		
To facilitate the stabilization and rehabilitation of communities	Programmes for disarmament and demobilization of combatants (weapons buy-back; economic and development incentives) Programmes for reintegration and rehabilitation of ex-combatants within their communities (community service; counselling services; education/training; family reunification; employment opportunities) Encouragement of full participation of armed groups in disarmament, demobilization, reintegration and rehabilitation programmes	Resolutions 1379 (2001), para. 8 (*e*), 1376 (2001), para. 12, 1366 (2001), para. 16, 1296 (2000), para. 16, 1270 (1999), paras. 3, 4, 8 (*b*) and (*c*) and 20, 1265 (1999), para. 12, and presidential statements S/PRST/2000/10 and S/PRST/1999/28
Small arms and mine action		
To facilitate a secure environment for vulnerable populations and humanitarian personnel	Mine-action (coordination centres; land-mine clearance; mine-awareness training; victim assistance) Measures to control and reduce the illicit traffic in small arms and light weapons (voluntary moratoria; arms embargoes; regional and subregional approaches)	Resolutions 1318 (2000), annex, sect. VI, 1296 (2000), paras. 20 and 21, 1286 (2000), para. 12, 1265 (1999), para. 17, 1261 (1999), paras. 14 and 17, and presidential statement S/PRST/1999/28
Training of security and peacekeeping forces		
To ensure adequate sensitization of multinational forces to issues pertaining to the protection of civilians	Appropriate training in humanitarian and human rights law, civil-military coordination, negotiation and communication skills, gender and culture sensitization, and the prevention of HIV/AIDS and other communicable diseases	Resolutions 1379 (2001), para. 10 (*b*), 1325 (2000), para. 6, 1318 (2000), annex, sect. VI, 1308 (2000), para. 3, 1296 (2000), para. 19, 1279 (1999), para. 4, 1270 (1999), para. 15, and 1265 (1999), para. 14

Primary objectives	*Issues for consideration*	*Precedents*
Effects on women		
To address the specific needs of women for assistance and protection.	Special measures to protect women and girls from gender-based discrimination, violence, rape and other forms of sexual abuse (access to legal redress, crisis centres, shelters, counselling and other assistance programs, monitoring and reporting mechanisms). Effective measures to disarm, demobilize, reintegrate and rehabilitate women and girl soldiers. Mainstreaming of a gender perspective, including by integration of gender advisers in peace operations. Expanding the role and contribution of women in United Nations field-based operations (among military observers, civilian police, humanitarian and human rights personnel). Increased participation of women at all decision-making levels (organization and management of refugee and internally displaced persons camps, design and distribution of assistance, rehabilitation policies).	Resolutions 1325 (2000), paras. 1, 4, 5, 8 (*a*), 10, 13 and 15, 1314 (2000), paras. 13, and 16 (*e*), 1296 (2000), paras. 9 and 10, and presidential statement S/PRST/2001/31.
Effects on children		
To address the specific needs of children for assistance and protection.	Preventing the recruitment of child soldiers in violation of international law. Effective measures to disarm, demobilize, reintegrate and rehabilitate child soldiers. Initiatives, where appropriate, to secure access to war-affected children including, days of immunization, temporary ceasefires and days of tranquillity. Negotiated release of children abducted in situations of armed conflict. Specific provisions for the protection of children, including where appropriate, the integration of child protection advisers in peace operations. Family reunification of displaced children. Providing refugees and internally displaced persons, in particular children, vulnerable to exploitation and abuse with a secure channel for raising complaints and requiring camp leaders to report such abuses, including by staff. Monitoring and reporting on the situation of children.	Resolutions 1379 (2001), paras. 2, 4, 8 (*e*) and 10 (*c*), 1314 (2000), paras. 11, 12, 16 and 17, 1296 (2000), paras. 9 and 10, 1270 (1999), paras. 18 and 20, 1261 (1999), paras. 2, 3, 8, 13, 15 and 17(*a*), and presidential statement S/PRST/1998/18.
Safety and security of humanitarian and associated personnel		
To ensure the safety and security of humanitarian, United Nations and associated personnel.	Urge all parties to the conflict to respect the impartiality and neutrality of humanitarian operations. Ensure a safe and secure environment for humanitarian personnel.	Resolutions 1378 (2001) paras. 2 and. 5, 1319 (2000), para. 3, 1296 (2000), para. 12, 1270 (1999), paras. 13 and 14, 1265 (1999), para. 9 and presidential statement S/PRST/2000/4

Primary objectives	*Issues for consideration*	*Precedents*
Media and information		
1. To counter occurrences of speech used to incite violence	Establishment of media monitoring mechanisms to ensure effective monitoring, reporting and documenting of any incidents, origins and contents that incite "hate media"	Resolutions 1353 (2001), annex I, B, paras. 10 and 11, 1296 (2000), paras. 17 and 18, and 1272 (1999), para. 1
	Steps in response to media broadcasts inciting genocide, crimes against humanity and serious violations of international humanitarian law, including, as a last resort, consideration of closing down such media broadcasts	
2. To promote and support accurate management of information on the conflict	Technical assistance to draft and enforce anti-hate speech legislation	
	Establishing media coordination centres to facilitate accurate and reliable information management on and awareness of the conflict	
	Establishing and assisting local and international media and information outlets, in support of peace operations	
Natural resources and armed conflict		
To address the impact of natural resource exploitation on the protection of civilians	Linkages between illicit trade in natural resources and the conduct of the conflict	Resolutions 1379 (2001), para. 6, 1376 (2001), para. 8, 1318 (2000), annex, sect. VI, 1314 (2000), para. 8, and 1306 (2000), paras 1, 2, 9 and 19 (*a*)
	Address the direct or indirect import of natural resources where proceeds are used to fuel conflict	
	Urge Member States and regional organizations to consider measures against corporate actors, individuals and entities involved in illicit trafficking in violation of relevant Security Council resolutions and the Charter of the United Nations (legislation, penalties for dealers, certification and registration systems, embargoes)	
Humanitarian impact of sanctions		
To minimize unintended adverse side effects of sanctions on the civilian population	Humanitarian exemptions in sanction regimes	Resolutions 1379 (2001), para. 7, 1343 (2001), paras. 5, 6, 7, 9, 10 and 13 (*a*), 1333 (2000), paras. 5, 7, 8, 10, 11, 12, 14, 15 (*d*) and 23, 1325 (2000), para. 14, 1314 (2000), para. 15, 1298 (2000), para. 16, 1267 (1999), para. 4, 1265 (1999), para. 16, and presidential statement S/PRST/1999/28
	Targeted sanctions (sanctions limited in scope and targeted at specific individuals, groups, or activities)	
	Relevant assessment and review of humanitarian impact of sanctions, and the behaviour of those targeted by the sanctions	

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1379 (2001) on children and armed conflict

1378 (2001) on the situation in Afghanistan

1376 (2001) on the situation concerning the Democratic Republic of the Congo

1366 (2001) on the role of the Security Council in the prevention of armed conflicts

1353 (2001) on strengthening co-operation with troop-contributing countries

1343 (2001) on the situation in Liberia

1333 (2000) on the situation in Afghanistan

1327 (2000) on ensuring an effective role of the Security Council in the maintenance of international peace and security

1325 (2000) on women and peace and security

1319 (2000) on the situation in East Timor

1318 (2000) on ensuring an effective role of the Security Council in the maintenance of international peace and security, particularly in Africa

1315 (2000) on the situation in Sierra Leone

1314 (2000) on children and armed conflict

1308 (2000) on the responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations

1306 (2000) on the situation in Sierra Leone

1298 (2000) on the situation in Eritrea and Ethiopia

1296 (2000) on the protection of civilians in armed conflict

1286 (2000) on the situation in Burundi

1279 (1999) on the situation concerning the Democratic Republic of the Congo

1272 (1999) on the situation in East Timor

1270 (1999) on the situation in Sierra Leone

1267 (1999) on the situation in Afghanistan

1265 (1999) on the protection of civilians in armed conflict

1264 (1999) on the situation in East Timor

1261 (1999) on children and armed conflict

1244 (1999) on Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999)

1208 (1998) on the situation in Africa

955 (1994) on the situation concerning Rwanda

827 (1993) on the establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia

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S/PRST/2001/31 on women and peace and security

S/PRST/2001/16 on the responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations

S/PRST/2000/10 on maintaining peace and security and post-conflict peace-building

S/PRST/2000/4 on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones

S/PRST/1999/28 on small arms

S/PRST/1998/18 on children and armed conflict

* The Security Council also recognized the relevance of General Assembly resolutions 46/182 of 19 December 1991 and 55/2 of 8 September 2000 in the broader context of the protection of civilians and the root causes of conflicts."

THE SITUATION IN TAJIKISTAN AND ALONG THE TAJIK-AFGHAN BORDER

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.]

Decisions

On 7 May 2001, the President of the Security Council addressed the following letter to the Secretary-General:[359]

> "I have the honour to inform you that your letter dated 2 May 2001 concerning your intention to continue the activities of the United Nations Tajikistan Office of Peace-building for a further period of one year, until 1 June 2002,[360] has been brought to the attention of the members of the Security Council. They take note with appreciation of the information and of the intention expressed therein."

On 1 May 2002, the President of the Security Council addressed the following letter to the Secretary-General:[361]

> "I have the honour to inform you that your letter dated 26 April 2002 concerning your intention to continue the activities of the United Nations Tajikistan Office of Peace-building for a further period of one year, until 1 June 2003,[362] has been brought to the attention of the members of the Security Council. They take note with appreciation of the information and of the intention expressed therein."

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[359] S/2001/446

[360] S/2001/445

[361] S/2002/502

[362] S/2002/501

THE SITUATION IN GUINEA FOLLOWING RECENT ATTACKS ALONG ITS BORDERS WITH LIBERIA AND SIERRA LEONE

THE SITUATION IN SIERRA LEONE

Decisions

At its 4319th meeting, on 14 May 2001, the Security Council considered the item entitled:

"The situation in Guinea following recent attacks along its borders with Liberia and Sierra Leone

"The situation in Sierra Leone

"Letter dated 30 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/434)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, Mr. Ibrahima Fall, Assistant Secretary-General for Political Affairs, and Ms. Carolyn McAskie, Deputy to the Under-Secretary-General for Humanitarian Affairs, Deputy Emergency Relief Coordinator.

THE SITUATION IN AFGHANISTAN

[*Resolutions or decisions on this question were also adopted by the Security Council in 1994 and from 1996 to 2000.*]

Decisions

At its 4325th meeting, on 5 June 2001, the Security Council decided to invite the representatives of Afghanistan, the Islamic Republic of Iran, Pakistan and Uzbekistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Letter dated 21 May 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/511)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Haile Menkerios, Chairman of the Committee of Experts on Afghanistan appointed pursuant to Security Council resolution 1333 (2000), and Mr. Alfonso Valdivieso, of Colombia, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan.

At its 4352nd meeting, on 30 July 2001, the Council considered the item entitled:

"The situation in Afghanistan

"Letter dated 21 May 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/511)".

Resolution 1363 (2001)
of 30 July 2001

The Security Council,

Reaffirming its previous resolutions, in particular resolution 1267 (1999) of 15 October 1999 and resolution 1333 (2000) of 19 December 2000, as well as the statements by its President on the situation in Afghanistan,

Determining that the situation in Afghanistan constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation ,under the Charter of the United Nations, of all Member States to comply fully with the measures imposed pursuant to resolutions 1267 (1999) and 1333 (2000);

2. *Welcomes* the report of the Committee of Experts on Afghanistan appointed pursuant to resolution 1333 (2000),[363] and takes note of the conclusions and recommendations contained therein, following consultations with the States bordering the territory of Afghanistan under Taliban control, which it had visited;

3. *Requests* the Secretary-General to establish, in consultation with the Security Council Committee established pursuant to resolution 1267 (1999), within thirty days of the date of adoption of the present resolution and for a period running concurrently with the application of the measures imposed pursuant to resolution 1333 (2000), a mechanism:

(*a*) To monitor the implementation of the measures imposed pursuant to resolutions 1267 (1999) and 1333 (2000);

(*b*) To offer assistance to States bordering the territory of Afghanistan under Taliban control and other States, as appropriate, to increase their capacity regarding the implementation of the measures imposed pursuant to resolutions 1267 (1999) and 1333 (2000); and

(*c*) To collate, assess, verify wherever possible, report and make recommendations on information regarding violations of the measures imposed pursuant to resolutions 1267 (1999) and 1333 (2000);

4. *Decides* that the monitoring mechanism, bearing in mind, inter alia, equitable geographical distribution, should be composed of:

(*a*) A Monitoring Group in New York of up to five experts, including a chairman, to monitor the implementation of all the measures imposed pursuant to resolutions 1267 (1999) and 1333 (2000), including in the fields of arms embargoes, counter-terrorism and related legislation and, in view of the link to the purchase of arms and financing of terrorism, money laundering, financial transactions and drug trafficking; and

(*b*) A sanctions enforcement support team, under the coordination of the Monitoring Group, of up to fifteen members with expertise in areas such as customs, border security and counter-terrorism, to be located in those States referred to in paragraph 2 above, in full consultation and in close cooperation with those States;

5. *Requests* the Monitoring Group to report to the Committee established pursuant to resolution 1267 (1999), including through briefings of experts of the monitoring mechanism regarding the work of the mechanism as established in paragraph 3 above, and requests the Sanctions Enforcement Support Team to report at least once a month to the Monitoring Group;

6. *Requests* the Committee established pursuant to resolution 1267 (1999) to report to the Security Council on the implementation of the present resolution at regular intervals;

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[363] S/2001/511, annex.

7. *Calls upon* all States, the United Nations and concerned parties to cooperate in a full and timely manner with the monitoring mechanism;

8. *Urges* all States to take immediate steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under their domestic laws or regulations against their nationals and other individuals or entities operating on their territory, to prevent and punish violations of the measures imposed pursuant to resolutions 1267 (1999) and 1333 (2000), and to inform the Committee established pursuant to resolution 1267 (1999) of the adoption of such measures, and invites States to report the results of all related investigations or enforcement actions to the Committee, unless to do so would compromise the investigation or enforcement action;

9. *Requests* the Secretary-General to make the necessary arrangements to support the work of the monitoring mechanism, as an expense of the Organization and through a United Nations trust fund established for this purpose, affirms that this trust fund will be established by the Secretary-General, encourages States to contribute to the fund and to contribute, through the Secretary-General, personnel, equipment and services to the monitoring mechanism, and also requests the Secretary-General to keep the Committee established pursuant to resolution 1267 (1999) informed on a regular basis of the financial arrangements supporting the mechanism;

10. *Expresses its intention* to review the implementation of the measures imposed pursuant to resolutions 1267 (1999) and 1333 (2000) on the basis of the information provided by the monitoring mechanism through the Committee established pursuant to resolution 1267 (1999);

11. *Decides* to remain seized of the matter.

Adopted unanimously at the 4352nd meeting.

Decisions

On 4 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[364]

> "I have the honour to inform you that your letter dated 3 October 2001 concerning your intention to reappoint Mr. Lakhdar Brahimi as your Special Representative for Afghanistan[365] has been brought to the attention of the members of the Security Council. They take note with appreciation of your intention and the terms of reference for your Special Representative."[366]

At its 4414th meeting, on 13 November 2001, the Council decided to invite the representatives of Afghanistan, Argentina, Australia, Belgium, Canada, Egypt, Germany, India, Indonesia, the Islamic Republic of Iran, Italy, Japan, Kazakhstan, Malaysia, Mexico, the Netherlands, New Zealand, Pakistan, the Republic of Korea, Tajikistan and Uzbekistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lakhdar Brahimi, Special Representative of the Secretary-General for Afghanistan.

Upon resumption of the meeting, on 13 November 2001, the Council further decided to invite the representatives of Chile and Turkey to participate, without vote, in the discussion of the item.

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[364] S/2001/937.

[365] S/2001/934.

[366] Ibid., annex.

At its 4415th meeting, on 14 November 2001, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1378 (2001)
of 14 November 2001

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000 and 1363 (2001) of 30 July 2001,

Supporting international efforts to root out terrorism, in keeping with the Charter of the United Nations, and reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Recognizing the urgency of the security and political situation in Afghanistan in the light of the most recent developments, particularly in Kabul,

Condemning the Taliban for allowing Afghanistan to be used as a base for the export of terrorism by the al-Qa'idah network and other terrorist groups and for providing safe haven to Osama bin Laden, al-Qa'idah and others associated with them, and in this context supporting the efforts of the Afghan people to replace the Taliban regime,

Welcoming the intention of the Special Representative of the Secretary-General to convene an urgent meeting of the various Afghan processes at an appropriate venue, and calling upon the United Front of Afghanistan and all Afghans represented in those processes to accept his invitation to that meeting without delay, in good faith and without preconditions,

Welcoming also the Statement on the situation in Afghanistan adopted on 12 November 2001 by the Ministers for Foreign Affairs and other senior representatives of the "Six plus Two" Group,[367] as well as the support being offered by other international groups,

Noting the views expressed at the meeting of the Security Council on the situation in Afghanistan held on 13 November 2001,[368]

Endorsing the approach outlined by the Special Representative of the Secretary-General at the meeting of the Council on 13 November 2001,[369]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Deeply concerned by the grave humanitarian situation and the continuing serious violations by the Taliban of human rights and international humanitarian law,

1. *Expresses its strong support* for the efforts of the Afghan people to establish a new and transitional administration leading to the formation of a government, both of which:

- Should be broad-based, multi-ethnic and fully representative of all the Afghan people and committed to peace with Afghanistan's neighbours;
- Should respect the human rights of all Afghan people, regardless of gender, ethnicity or religion;

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[367] S/2001/1157, annex.

[368] See S/PV.4414 and S/PV.4414 (Resumption 1).

[369] See S/PV.4414.

– Should respect Afghanistan's international obligations, including by cooperating fully in international efforts to combat terrorism and illicit drug trafficking within and from Afghanistan; and

– Should facilitate the urgent delivery of humanitarian assistance and the orderly return of refugees and internally displaced persons, when the situation permits;

2. *Calls upon* all Afghan forces to refrain from acts of reprisal, to adhere strictly to their obligations under human rights and international humanitarian law and to ensure the safety, security and freedom of movement of United Nations and associated personnel, as well as personnel of humanitarian organizations;

3. *Affirms* that the United Nations should play a central role in supporting the efforts of the Afghan people to establish urgently such a new and transitional administration leading to the formation of a new government, and expresses its full support for the Special Representative of the Secretary-General in the accomplishment of his mandate, and calls upon Afghans, both within Afghanistan and among the Afghan diaspora, and Member States to cooperate with him;

4. *Calls upon* Member States to provide:

– Support for such an administration and government, including through the implementation of quick-impact projects;

– Urgent humanitarian assistance to alleviate the suffering of the Afghan people, both those inside Afghanistan and Afghan refugees, including in demining; and

– Long-term assistance for the social and economic reconstruction and rehabilitation of Afghanistan,

and welcomes initiatives towards this end;

5. *Encourages* Member States to support efforts to ensure the safety and security of areas of Afghanistan no longer under Taliban control, and in particular to ensure respect for Kabul as the capital for all the Afghan people, and especially to protect civilians, transitional authorities, United Nations and associated personnel, as well as personnel of humanitarian organizations;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4415th meeting.

Decision

At its 4434th meeting, on 6 December 2001, the Security Council decided to invite the representative of Afghanistan to participate without vote, in the discussion of the item entitled:

"The situation in Afghanistan

> "Letter dated 5 December 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/1154)".

Resolution 1383 (2001)
of 6 December 2001

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolution 1378 (2001) of 14 November 2001,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Stressing the inalienable right of the Afghan people themselves freely to determine their own political future, *Determined* to help the people of Afghanistan to bring to an end the tragic conflicts in Afghanistan and promote national reconciliation, lasting peace, stability and respect for human rights, as well as to cooperate with the international community to put an end to the use of Afghanistan as a base for terrorism,

Welcoming the letter dated 5 December 2001 from the Secretary-General addressed to the President of the Security Council informing the Council of the signature, in Bonn, Germany, on 5 December 2001, of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions,[370]

Noting that the provisional arrangements are intended as a first step towards the establishment of a broad-based, gender sensitive, multi-ethnic and fully representative government,

1. *Endorses* the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, as reported in the letter from Secretary-General dated 5 December 2001;[370]

2. *Calls upon* all Afghan groups to implement that Agreement in full, in particular through full cooperation with the Interim Authority, which is due to take office on 22 December 2001;

3. *Reaffirms its full support* for the Special Representative of the Secretary-General for Afghanistan, and endorses the missions entrusted to him in annex II to the above-mentioned Agreement;

4. *Declares its willingness* to take further action, on the basis of a report by the Secretary-General, to support the interim institutions established by the above-mentioned Agreement and, in due course, to support the implementation of the Agreement and its annexes;

5. *Calls upon* all Afghan groups to support full and unimpeded access by humanitarian organizations to people in need and to ensure the safety and security of humanitarian workers;

6. *Calls upon* all bilateral and multilateral donors, in coordination with the Special Representative, United Nations agencies and all Afghan groups, to reaffirm, strengthen and implement their commitment to assist with the rehabilitation, recovery and reconstruction of Afghanistan, in coordination with the Interim Authority and as long as the Afghan groups fulfil their commitments;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4434th meeting.

Decision

At its 4443rd meeting, on 20 December 2001, the Security Council decided to invite the representative of Afghanistan to participate without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1386 (2001)
of 20 December 2001

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1378 (2001) of 14 November 2001 and 1383 (2001) of 6 December 2001,

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[370] See S/2001/1154.

Supporting international efforts to root out terrorism, in keeping with the Charter of the United Nations, and reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Welcoming developments in Afghanistan that will allow all Afghans to enjoy inalienable rights and freedom, unfettered by oppression and terror,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves,

Reiterating its endorsement of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement),[370]

Taking note of the request to the Security Council in paragraph 3 of annex 1 to the Bonn Agreement to consider authorizing the early deployment to Afghanistan of an international security force, as well as the briefing on 14 December 2001 by the Special Representative of the Secretary-General on his contacts with the Afghan authorities, in which they welcomed the deployment to Afghanistan of a United Nations-authorized international security force,

Taking note also of the letter dated 19 December 2001 from the Acting Minister for Foreign Affairs of the Islamic State of Afghanistan, Mr. Abdullah Abdullah, addressed to the President of the Security Council,[371]

Welcoming the letter dated 19 December 2001 from the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General,[372] and taking note of the offer of the United Kingdom contained therein to take the lead in organizing and commanding an international security assistance force,

Stressing that all Afghan forces must adhere strictly to their obligations under human rights law, including respect for the rights of women, and under international humanitarian law,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Interim Authority established by the Bonn Agreement,

Acting for these reasons under Chapter VII of the Charter,

1. *Authorizes*, as envisaged in annex I to the Bonn Agreement,[370] the establishment for six months of the International Security Assistance Force to assist the Afghan Interim Authority in the maintenance of security in Kabul and its surrounding areas, so that the Afghan Interim Authority as well as the personnel of the United Nations can operate in a secure environment;

2. *Calls upon* Member States to contribute personnel, equipment and other resources to the Force, and invites those Member States to inform the leadership of the Force and the Secretary-General;

3. *Authorizes* the Member States participating in the Force to take all necessary measures to fulfil its mandate;

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[371] S/2001/1223, annex.

[372] S/2001/1217.

4. *Calls upon* the Force to work in close consultation with the Afghan Interim Authority in the implementation of the mandate of the Force, as well as with the Special Representative of the Secretary-General;

5. *Calls upon* all Afghans to cooperate with the Force and with relevant international governmental and non-governmental organizations, and welcomes the commitment of the parties to the Bonn Agreement to do all within their means and influence to ensure security, including to ensure the safety, security and freedom of movement of all United Nations personnel and all other personnel of international governmental and non-governmental organizations deployed in Afghanistan;

6. *Takes note* of the pledge made by the Afghan parties to the Bonn Agreement in annex I thereto to withdraw all military units from Kabul, and calls upon them to implement this pledge in cooperation with the Force;

7. *Encourages* neighbouring States and other Member States to provide to the Force such necessary assistance as may be requested, including overflight clearances and transit;

8. *Stresses* that the expenses of the Force will be borne by the participating Member States concerned, requests the Secretary-General to establish a trust fund through which contributions could be channelled to the Member States or operations concerned, and encourages Member States to contribute to such a fund;

9. *Requests* the leadership of the Force to provide periodic reports on progress towards the implementation of its mandate through the Secretary-General;

10. *Calls upon* Member States participating in the Force to provide assistance to the Afghan Interim Authority in the establishment and training of new Afghan security and armed forces;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4443rd meeting.

Decision

At its 4449th meeting, on 15 January 2002, the Security Council considered the item entitled "The situation in Afghanistan".

Resolution 1388 (2002)
of 15 January 2002

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999 and 1333 (2000) of 19 December 2000,

Noting that Ariana Afghan Airlines is no longer owned, leased or operated by or on behalf of the Taliban, nor are its funds and other financial resources owned or controlled, directly or indirectly, by the Taliban,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of paragraphs 4 (*a*) and (*b*) of resolution 1267 (1999) do not apply to Ariana Afghan Airlines aircraft or its funds and other financial resources;

2. *Decides also* to terminate the measure provided for by paragraph 8 (*b*) of resolution 1333 (2000);

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4449th meeting.

Decision

At its 4452nd meeting, on 16 January 2002, the Security Council considered the item entitled "The situation in Afghanistan".

Resolution 1390 (2002)
of 16 January 2002

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000 and 1363 (2001) of 30 July 2001,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1378 (2001) of 14 November 2001 and 1383 (2001) of 6 December 2001,

Reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism, in accordance with the Charter of the United Nations,

Reaffirming further its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C., and Pennsylvania on 11 September 2001, expressing its determination to prevent all such acts, noting the continued activities of Osama bin Laden and the al-Qa`idah network in supporting international terrorism, and expressing its determination to root out that network,

Noting the indictments of Osama bin Laden and his associates by the United States of America for, inter alia, the bombings on 7 August 1998 of the United States embassies in Nairobi and Dar es Salaam,

Determining that the Taliban has failed to respond to the demands set out in paragraph 13 of resolution 1214 (1998) of 8 December 1998, paragraph 2 of resolution 1267 (1999) and paragraphs 1, 2 and 3 of resolution 1333 (2000),

Condemning the Taliban for allowing Afghanistan to be used as a base for terrorist training and activities, including the export of terrorism by the al-Qa`idah network and other terrorist groups, as well as for using foreign mercenaries in hostile actions in the territory of Afghanistan,

Condemning the al-Qa`idah network and other associated terrorist groups for the multiple criminal, terrorist acts aimed at causing the deaths of numerous innocent civilians, and the destruction of property,

Reaffirming that acts of international terrorism constitute a threat to international peace and security,

Acting under Chapter VII of the Charter,

1. *Decides* to continue the measures imposed by paragraph 8 (*c*) of resolution 1333 (2000) and *notes* the continued application of the measures imposed by paragraph 4 (*b*) of resolution 1267 (1999), in accordance with paragraph 2 below, and decides to terminate the measures imposed in paragraph 4 (*a*) of resolution 1267 (1999);

2. *Decides also* that all States shall take the following measures with respect to Osama bin Laden, members of al-Qa`idah and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000), to be updated regularly by the Security Council Committee established pursuant to resolution 1267 (1999), hereinafter referred to as "the Committee":

(*a*) Freeze without delay the funds and other financial assets or economic resources of those individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for the benefit of such persons, by their nationals or by any persons within their territory;

(*b*) Prevent the entry into or the transit through their territories of those individuals, provided that nothing in this paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and that this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process, or the Committee determines on a case-by-case basis only that entry or transit is justified;

(*c*) Prevent the direct or indirect supply, sale and transfer to those individuals, groups, undertakings and entities, from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts, for the aforementioned, and technical advice, assistance, or training related to military activities;

3. *Decides further* that the measures referred to in paragraphs 1 and 2 above will be reviewed in twelve months and that at the end of that period the Council will either allow those measures to continue or decide to improve them, in keeping with the principles and purposes of the present resolution;

4. *Recalls* the obligation placed upon all Member States to implement in full resolution 1373 (2001), including with regard to any member of the Taliban and al-Qa`idah, and any individuals, groups, undertakings and entities associated with the Taliban and al-Qa`idah, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts;

5. *Requests* the Committee to undertake the following tasks and to report on its work to the Council with its observations and recommendations;

(*a*) To update regularly the list referred to in paragraph 2 above, on the basis of relevant information provided by Member States and regional organizations:

(*b*) To seek from all States information regarding the action taken by them to implement effectively the measures referred to in paragraph 2 above, and thereafter to request from them whatever further information the Committee may consider necessary;

(*c*) To make periodic reports to the Council on information submitted to the Committee regarding the implementation of the present resolution;

(*d*) To promulgate expeditiously such guidelines and criteria as may be necessary to facilitate the implementation of the measures referred to in paragraph 2 above;

(*e*) To make information it considers relevant, including the list referred to in paragraph 2 above, publicly available through appropriate media;

(*f*) To cooperate with other relevant sanctions committees and with the Security Council Committee established pursuant to paragraph 6 of resolution 1373 (2001);

6. *Requests* all States to report to the Committee, no later than ninety days from the date of adoption of the present resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement the measures referred to in paragraph 2 above;

7. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Monitoring Group referred to in paragraph 9 below;

8. *Also urges* all States to take immediate steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under domestic laws or regulations against their nationals and other individuals or entities operating on their territory, to prevent and punish violations of the measures referred to in paragraph 2 above, and to inform the Committee of the adoption of such measures, and invites

States to report the results of all related investigations or enforcement actions to the Committee, unless to do so would compromise the investigation or enforcement actions;

9. *Requests* the Secretary-General to assign the Monitoring Group established pursuant to paragraph 4 (*a*) of resolution 1363 (2001), whose mandate expires on 19 January 2002, to monitor, for a period of twelve months, the implementation of the measures referred to in paragraph 2 above;

10. *Requests* the Monitoring Group to report to the Committee by 31 March 2002 and thereafter every four months;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4452nd meeting.

Decisions

At its 4461st meeting, on 30 January 2002, the Security Council decided to invite the representative of Afghanistan to participate without vote, in the discussion of the item entitled "The situation in Afghanistan".

At its 4469th meeting, on 6 February 2002, the Council considered the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lakhdar Brahimi, Special Representative of the Secretary-General for Afghanistan.

On 8 February 2002, the President of the Security Council addressed the following letter to the Secretary-General:[373]

> "I have the honour to inform you that your letter dated 4 February 2002 concerning your intention to take the administrative and financial measures necessary to facilitate the establishment and support of an integrated United Nations mission in Afghanistan[374] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter, on the understanding that the interim administrative and financial measures taken will be without prejudice to final decisions on the financing of the mission."

At its 4479th meeting, on 27 February 2002, the Council considered the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 4490th meeting, on 13 March 2002, the Council considered the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 4497th meeting, on 26 March 2002, the Council decided to invite the representatives of Afghanistan, Australia, Bangladesh, Canada, India, the Islamic Republic of Iran, Japan, New

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[373] S/2002/157.

[374] S/2002/156.

Zealand, Pakistan, Spain, Tajikistan and Turkey to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2002/278)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Danilo Türk, Assistant Secretary-General for Political Affairs.

Upon resumption of the meeting, on 26 March 2002, the Council further decided to invite the representative of Kazakhstan, to participate without vote, in the discussion of the item.

At its 4501st meeting, on 28 March 2002, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2002/278)".

Resolution 1401 (2002)
of 28 March 2002

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1378 (2001) of 14 November 2001, 1383 (2001) of 6 December 2001 and 1386 (2001) of 20 December 2001,

Recalling all relevant General Assembly resolutions, in particular resolutions 56/220 A and B of 21 December 2001,

Stressing the inalienable right of the Afghan people themselves freely to determine their own political future,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reiterating its endorsement of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement),[370] in particular annex II regarding the role of the United Nations during the interim period,

Welcoming the establishment on 22 December 2001 of the Afghan Interim Authority, and looking forward to the evolution of the process set out in the Bonn Agreement,

Stressing the vital importance of combating the cultivation of and trafficking in illicit drugs and of eliminating the threat of landmines, as well as of curbing the illicit flow of small arms,

Having considered the report of the Secretary-General of 18 March 2002,[375]

Encouraging donor countries that pledged financial aid at the International Conference on Reconstruction Assistance to Afghanistan, held at Tokyo on 21 and 22 January 2002, to fulfil their commitments as soon as possible,

Commending the United Nations Special Mission for Afghanistan for the determination shown in the implementation of its mandate in particularly difficult circumstances,

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[375] S/2002/278.

1. *Endorses* the establishment, for an initial period of twelve months from the date of adoption of the present resolution, of the United Nations Assistance Mission in Afghanistan, with the mandate and structure laid out in the report of the Secretary-General of 18 March 2002;[375]

2. *Reaffirms its strong support* for the Special Representative of the Secretary-General, and endorses his full authority, in accordance with its relevant resolutions, over the planning and conduct of all United Nations activities in Afghanistan;

3. *Stresses* that the provision of focused recovery and reconstruction assistance can greatly assist in the implementation of the Bonn Agreement,[370] and to this end urges bilateral and multilateral donors, in particular through the Afghanistan Support Group and the Implementation Group, to coordinate very closely with the Special Representative, the Afghan Interim Administration and its successors;

4. *Stresses also*, in the context of paragraph 3 above, that while humanitarian assistance should be provided wherever there is a need, recovery or reconstruction assistance ought to be provided, through the Afghan Interim Administration and its successors, and implemented effectively where local authorities contribute to the maintenance of a secure environment and demonstrate respect for human rights;

5. *Calls upon* all Afghan parties to cooperate with the Mission in the implementation of its mandate and to ensure the security and freedom of movement of its staff throughout the country;

6. *Requests* the International Security Assistance Force, in implementing its mandate in accordance with resolution 1386 (2001), to continue to work in close consultation with the Secretary-General and his Special Representative;

7. *Requests* the Secretary-General to report to the Security Council every four months on the implementation of the present resolution;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4501st meeting.

Decisions

At its 4521st meeting, on 25 April 2002, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 4541st meeting, on 23 May 2002, the Council decided to invite the representatives of Afghanistan, Canada, India, the Islamic Republic of Iran, Japan, New Zealand, Pakistan, Spain and Turkey to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

Resolution 1413 (2002)
of 23 May 2002

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolution 1386 (2001) of 20 December 2001, *Reaffirming its strong commitment* to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Supporting international efforts to root out terrorism, in keeping with the Charter of the United Nations, and reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves, and welcoming in this respect the cooperation of the Afghan Interim Authority with the International Security Assistance Force,

Expressing its appreciation to the United Kingdom of Great Britain and Northern Ireland for taking the lead in organizing and commanding the Force, and recognizing with gratitude the contributions of many nations to the Force,

Welcoming the letter dated 7 May 2002 from the Minister for Foreign Affairs of the Republic of Turkey addressed to the Secretary-General,[376] and taking note of Turkey's offer contained therein to assume the lead in commanding the Force,

Recalling the letter dated 19 December 2001 from the Acting Minister for Foreign Affairs of the Islamic State of Afghanistan, Mr. Abdullah Abdullah, addressed to the President of the Security Council,[371]

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the Force, in consultation with the Afghan Interim Authority and its successors established by Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement),[370]

Acting for these reasons under Chapter VII of the Charter,

1. *Decides* to extend the authorization, for a period of six months beyond 20 June 2002, of the International Security Assistance Force, as defined in resolution 1386 (2001);

2. *Authorizes* the Member States participating in the Force to take all necessary measures to fulfil the mandate of the Force;

3. *Calls upon* Member States to contribute personnel, equipment and other resources to the Force and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);

4. *Requests* the leadership of the Force to provide monthly reports on implementation of its mandate, through the Secretary-General ;

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4541st meeting.

Decisions

At its 4557th meeting, on 21 June 2002, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

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[376] S/2002/568.

At its 4560th meeting, on 26 June 2002, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1419 (2002)
of 26 June 2002

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolution 1383 (2001) of 6 December 2001,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Also reaffirming its strong commitment to help the people of Afghanistan to bring to an end the tragic conflicts in Afghanistan and promote lasting peace, stability, and respect for human rights,

Reaffirming its strong support for international efforts to root out terrorism, in keeping with the Charter of the United Nations, and reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Reiterating its endorsement of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement),[370] and welcoming initial steps for the implementation thereof, including the establishment of the Human Rights and Judicial Commissions,

1. *Welcomes* the successful and peaceful holding, from 11 June to 19 June 2002, of the Emergency Loya Jirga opened by former King Mohammed Zaher, the "Father of the Nation", and notes with particular satisfaction the large participation of women, as well as the representation of all ethnic and religious communities;

2. *Commends* the Afghan people for the success of the Emergency Loya Jirga, and encourages them to continue to exercise their inalienable right to determine freely their own political future;

3. *Welcomes* the election, by the Emergency Loya Jirga, of the Head of State, President Hamid Karzai, and the establishment of the Transitional Authority;

4. *Reiterates its strong support* for the Transitional Authority in the full implementation of the Bonn Agreement,[370] including the establishment of a constitutional commission, and in strengthening the Central Government, building a national army and police force, implementing demobilization/reintegration activities and improving the security situation throughout Afghanistan, combating illicit drug trafficking, ensuring respect for human rights, implementing judicial sector reform, establishing the basis for a sound economy and reconstructing productive capacity and infrastructure;

5. *Calls upon* all Afghan groups, in this regard, to cooperate fully with the Transitional Authority in order to complete the process according to the Bonn Agreement and to implement the decisions of the Emergency Loya Jirga;

6. *Urges* the Transitional Authority to build on efforts of the Interim Administration to eradicate the annual poppy crop;

7. *Also urges* the Transitional Authority to build further on efforts of the Interim Administration to promote the welfare and interests of Afghan women and children and to provide education to boys and girls;

8. *Commends* the role of the United Nations system in support of efforts by the Afghans, reiterates its strong support for the Special Representative of the Secretary-General, Mr. Lakhdar Brahimi, and the staff of the United Nations Assistance Mission in Afghanistan, and reaffirms its endorsement of the full authority of the Special Representative, in accordance with its relevant resolutions, over the planning and conduct of all United Nations activities in Afghanistan;

9. *Commends also* the contribution of the International Security Assistance Force in providing a secure environment for the Emergency Loya Jirga;

10. *Stresses once again* the importance of continued international support to complete the process according to the Bonn Agreement, calls upon donor countries that pledged financial aid at the International Conference on Reconstruction Assistance to Afghanistan, held at Tokyo on 21 and 22 January 2002, to fulfil their commitments promptly, and calls upon all Member States to support the Transitional Authority and to provide long-term assistance, as well as current budget support, for the current expenses of the Transitional Authority, and for the social and economic reconstruction and rehabilitation of Afghanistan as a whole;

11. *Calls* for significantly greater and more rapid international assistance to the vast number of Afghan refugees and internally displaced persons to facilitate their orderly return and effective reintegration into society, in order to contribute to the stability of the entire country;

12. *Calls upon* all Afghan groups to support full and unimpeded access by humanitarian organizations to people in need and to ensure the safety and security of humanitarian workers;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4560th meeting.

Decisions

At its 4579th meeting, on 19 July 2002, the Security Council decided to invite the representatives of Afghanistan, Canada, Denmark, India, the Islamic Republic of Iran, Japan, Malaysia, Nepal, Pakistan, the Republic of Korea, Tajikistan, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2002/737)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lakhdar Brahimi, Special Representative of the Secretary-General for Afghanistan.

At the same meeting, in response to the request dated 17 July 2002 from the Chargé d'affaires a.i., of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council,[377] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference to the United Nations.

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[377] Document S/2002/780, incorporated in the record of the 4579th meeting.

ROLE OF THE SECURITY COUNCIL IN THE PREVENTION OF ARMED CONFLICTS

[*Resolutions or decisions on this question were also adopted by the Security Council in 1999 and 2000.*]

Decisions

At its 4334th meeting, on 21 June 2001, the Security Council decided to invite the representatives of Argentina, Belarus, Brazil, Canada, Costa Rica, Egypt, India, Indonesia, Iraq, Japan, Malaysia, Mexico, Nigeria, Pakistan, the Republic of Korea, South Africa and Sweden to participate, without vote, in the discussion of the item entitled:

"Role of the Security Council in the prevention of armed conflicts

"Report of the Secretary-General on the prevention of armed conflict (S/2001/574)".

Upon resumption of the meeting, on 21 June 2001, the Council also decided to invite the representative of Nepal to participate, without vote, in the discussion of the item.

At the same meeting, the Council further decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 21 June 2001 to the President of the Council,[378] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 4360th meeting, on 30 August 2001, the Council considered the item entitled:

"Role of the Security Council in the prevention of armed conflicts

"Report of the Secretary-General on the prevention of armed conflict (S/2001/574)".

Resolution 1366 (2001)
of 30 August 2001

The Security Council,

Recalling its resolutions 1196 (1998) of 16 September 1998, 1197 (1998) of 18 September 1998, 1208 (1998) and 1209 (1998) of 19 November 1998, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1318 (2000) of 7 September 2000, 1325 (2000) of 31 October 2000 and 1327 (2000) of 13 November 2000,

Recalling also the statements by its President of 16[379] and 24 September[380] and 30 November 1998,[381] 24 September[382] and 30 November 1999,[383] 23 March[384] and 20 July 2000[385] and 20 February[386] and 22 March 2001,[387]

Having considered the report of the Secretary-General on the prevention of armed conflict,[388] and in particular the recommendations contained therein relating to the role of the Security Council,

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[378] Document S/2001/616, incorporated in the record of the 4334th meeting (Resumption 1).

[379] S/PRST/1998/28.

[380] S/PRST/1998/29.

[381] S/PRST/1998/35.

[382] S/PRST/1999/28.

[383] S/PRST/1999/34.

[384] S/PRST/2000/10.

[385] S/PRST/2000/25.

[386] S/PRST/2001/5.

[387] S/PRST/2001/10.

[388] S/2001/574 and Corr.1.

Reiterating the purposes and principles enshrined in the Charter of the United Nations, and reaffirming its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States,

Mindful of the consequences of armed conflict on relations between and among States, the economic burden on the nations involved as well as on the international community and, above all, the humanitarian consequences of conflicts,

Bearing in mind its primary responsibility under the Charter for the maintenance of international peace and security, and reaffirming its role in the prevention of armed conflicts,

Stressing the need for the maintenance of regional and international peace and stability and friendly relations among all States, and underlining the overriding political, humanitarian and moral imperatives, as well as the economic advantages, of preventing the outbreak and escalation of conflicts,

Emphasizing the importance of a comprehensive strategy comprising operational and structural measures for prevention of armed conflicts, and recognizing the ten principles outlined by the Secretary-General in his report on the prevention of armed conflict,

Noting with satisfaction the increased recourse, with consent of receiving Member States, to Council missions to areas of conflict or potential conflict, which, among other things, can play an important role in the prevention of armed conflicts,

Reiterating that conflict prevention is one of the primary responsibilities of Member States,

Recognizing the essential role of the Secretary-General in the prevention of armed conflict and the importance of efforts to enhance his role in accordance with Article 99 of the Charter,

Recognizing also the role of other relevant organs, offices, funds and programmes of the United Nations, and of the specialized agencies and other international organizations, including the World Trade Organization and the Bretton Woods institutions, as well as the role of non-governmental organizations, civil society actors and the private sector in the prevention of armed conflicts,

Stressing the necessity of addressing the root-causes and regional dimensions of conflicts, recalling the recommendations contained in the report of the Secretary-General on the causes of conflicts and the promotion of durable peace and sustainable development in Africa, of 13 April 1998,[389] and underlining the mutually supportive relationship between conflict prevention and sustainable development,

Expressing serious concern over the threat to peace and security caused by the illicit trade in and the excessive and destabilizing accumulation of small arms and light weapons in areas of conflict, and their potential to exacerbate and prolong armed conflicts,

Emphasizing the importance of adequate, predictable and properly targeted resources for conflict prevention and of consistent funding for long-term preventive activities,

Reiterating that early warning, preventive diplomacy, preventive deployment, practical disarmament measures and post-conflict peace building are interdependent and complementary components of a comprehensive conflict prevention strategy,

Underlining the importance of raising awareness of and ensuring respect for international humanitarian law, stressing the fundamental responsibility of Member States to prevent and end impunity for genocide, crimes against humanity and war crimes, recognizing the role of the ad hoc

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[389] S/1998/318.

Tribunals for the former Yugoslavia[390] and Rwanda[391] in deterring the future occurrence of such crimes, thereby helping to prevent armed conflict, and stressing the importance of international efforts in accordance with the Charter in this regard,

Reiterating the shared commitment to save people from the ravages of armed conflicts, acknowledging the lessons to be learned for all concerned from the failure of preventive efforts that preceded such tragedies as the genocide in Rwanda[392] and the massacre in Srebrenica,[393] and resolving to take appropriate action within its competence, combined with the efforts of Member States, to prevent the recurrence of such tragedies,

1. *Expresses its determination* to pursue the objective of prevention of armed conflict as an integral part of its primary responsibility for the maintenance of international peace and security;

2. *Stresses* that the essential responsibility for conflict prevention rests with national Governments, and that the United Nations and the international community can play an important role in support of national efforts towards conflict prevention and can assist in building national capacity in this field, and recognizes the important supporting role of civil society;

3. *Calls upon* Member States as well as regional and subregional organizations and arrangements to support the development of a comprehensive conflict prevention strategy, as proposed by the Secretary-General;

4. *Emphasizes* that, for the success of a preventive strategy, the United Nations needs the consent and support of the Government concerned and, if possible, the cooperation of other key national actors, and underlines in this regard that the sustained political will of neighbouring States, regional allies or other Member States that would be well placed to support United Nations efforts is necessary;

5. *Expresses its willingness* to give prompt consideration to early warning or prevention cases brought to its attention by the Secretary-General, and in this regard encourages the Secretary-General to convey to the Security Council his assessment of potential threats to international peace and security with due regard to relevant regional and subregional dimensions, as appropriate, in accordance with Article 99 of the Charter of the United Nations;

6. *Undertakes* to keep situations of potential conflict under close review as part of a conflict prevention strategy, and expresses its intention to consider cases of potential conflict brought to its attention by any Member State, by a State not a Member of the United Nations or by the General Assembly, or on the basis of information furnished by the Economic and Social Council;

7. *Expresses its commitment* to take early and effective action to prevent armed conflict and to that end to employ all appropriate means at its disposal including, with the consent of the receiving States, its missions to areas of potential conflict;

8. *Reiterates its call* to Member States to strengthen the capacity of the United Nations in the maintenance of international peace and security, and in this regard urges them to provide the necessary human, material and financial resources for timely and preventive measures, including early warning, preventive diplomacy, preventive deployment, practical disarmament measures and peace-building, as appropriate in each case;

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[390] International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

[391] International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

[392] S/1999/1257.

[393] A/54/549.

9. *Reaffirms* its role in the peaceful settlement of disputes, and reiterates its call upon the Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter, including by use of regional preventive mechanisms and more frequent resort to the International Court of Justice;

10. *Invites* the Secretary-General to refer to the Council information and analyses from within the United Nations system on cases of serious violations of international law, including international humanitarian law and human rights law, and on potential conflict situations arising, inter alia, from ethnic, religious and territorial disputes, poverty and lack of development, and expresses its determination to give serious consideration to such information and analyses regarding situations which it deems to represent a threat to international peace and security;

11. *Expresses its intention* to continue to invite the Office of the United Nations Emergency Relief Coordinator and other relevant United Nations agencies to brief its members on emergency situations which it deems to represent a threat to international peace and security, and supports the implementation of protection and assistance activities by relevant United Nations agencies, in accordance with their respective mandates;

12. *Expresses its willingness* to consider preventive deployment upon the recommendation of the Secretary-General and with the consent of the Member States concerned;

13. *Calls upon* all Member States to ensure timely and faithful implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[394] adopted on 20 July 2001, and to take all necessary measures at national, regional and global levels to prevent and combat the illicit flow of small arms and light weapons in areas of conflict;

14. *Expresses its willingness* to make full use of information from the Secretary-General, provided to him, inter alia, under section II, paragraph 33, of the Programme of Action, in its efforts to prevent armed conflict;

15. *Stresses* the importance of the inclusion, as part of a conflict prevention strategy, of peace-building components, including civilian police within peacekeeping operations, on a case-by-case basis, to facilitate a smooth transition to the post conflict peace-building phase and the ultimate conclusion of the mission;

16. *Decides* to consider inclusion, as appropriate, of a disarmament, demobilization and reintegration component in the mandates of United Nations peacekeeping and peace-building operations, with particular attention to the rehabilitation of child soldiers;

17. *Reiterates* its recognition of the role of women in conflict prevention, and requests the Secretary-General to give greater attention to gender perspectives in the implementation of peacekeeping and peace-building mandates as well as in conflict prevention efforts;

18. *Supports* the enhancement of the role of the Secretary-General in conflict prevention, including by increased use of United Nations interdisciplinary fact-finding and confidence-building missions to regions of tension, by developing regional prevention strategies with regional partners and appropriate United Nations organs and agencies, and by improving the capacity and the resource base for preventive action in the Secretariat;

19. *Endorses* the call of the Secretary-General for support to the follow-up processes launched by the Third and Fourth High-level United Nations regional organizations meetings in the field of conflict prevention and peace-building, and to provide increased resources for the development of regional capacities in these fields;

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[394] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), para. 24.

20. *Calls* for the enhancement of the capacity for conflict prevention of regional organizations, in particular in Africa, by extending international assistance to, inter alia, the Organization of African Unity and its successor organization, through its Mechanism for Conflict Prevention, Management and Resolution, as well as to the Economic Community of West African States and its Mechanism for Prevention, Management and Resolution of Conflicts, Peacekeeping and Security;

21. *Stresses* the need to create conditions for durable peace and sustainable development by addressing the root causes of armed conflict, and to this end calls upon Member States and relevant bodies of the United Nations system to contribute to the effective implementation of the United Nations Declaration and Programme of Action for a Culture of Peace;[395]

22. *Looks forward* to further consideration of the report of the Secretary-General on the prevention of armed conflict, by the General Assembly and the Economic and Social Council, as well as other actors, including the Bretton Woods institutions, and supports the development of a system-wide coordinated and mutually supportive approach to prevention of armed conflict;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4360th meeting.

EXCHANGE OF LETTERS BETWEEN THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING THE INDIA-PAKISTAN QUESTION

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998, 1999 and 2000.*]

Decisions

On 18 July 2001, the President of the Security Council addressed the following letter to the Secretary-General:[396]

> "I have the honour to inform you that your letter dated 13 July 2001 concerning your intention to appoint Major General Hermann K. Loidolt, of Austria, as the Chief Military Observer of the United Nations Military Observer Group in India and Pakistan[397] has been brought to the attention of the members of the Security Council. They take note of the intention expressed therein."

On 29 May 2002, the President of the Security Council addressed the following letter to the Secretary-General:[398]

> "I have the honour to inform you that your letter dated 23 May 2002 concerning your proposal to add Croatia to the list of contributors to the United Nations Military Observer Group in India and Pakistan[399] has been brought to the attention of the members of the Security Council. They take note of the proposal contained therein."

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[395] General Assembly resolution 53/243.

[396] S/2001/711.

[397] S/2001/710.

[398] S/2002/594.

[399] S/2002/593.

SMALL ARMS

[*Resolutions or decisions on this question were also adopted by the Security Council in 1999.*]

Decisions

At its 4355th meeting, on 2 August 2001, the Security Council decided to invite the representatives of Argentina, Australia, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, Costa Rica, Egypt, Ghana, India, Japan, Mexico, Nepal, New Zealand, Pakistan, Peru, the Philippines, the Republic of Korea, Sierra Leone, South Africa, the Sudan and Venezuela to participate, without vote, in the discussion of the item entitled:

"Small arms

> "Letter dated 25 July 2001 from the Permanent Representative of Colombia to the United Nations addressed to the President of the Security Council (S/2001/732)".

Upon resumption of the meeting, on 2 August 2001, the Council also decided to invite the representatives of Nigeria and Thailand to participate, without vote, in the discussion of the item.

At its 4362nd meeting, on 31 August 2001, the Council considered the item entitled:

"Small arms

> "Letter dated 25 July 2001 from the Permanent Representative of Colombia to the United Nations addressed to the President of the Security Council (S/2001/732)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[400]

> "The Security Council reaffirms the statement by its President of 24 September 1999[401] and its resolution 1209 (1998) of 19 November 1998, and notes with grave concern that the destabilizing accumulation and uncontrolled spread of small arms and light weapons in many regions of the world increases the intensity and duration of armed conflicts, undermines the sustainability of peace agreements, impedes the success of peace-building, frustrates efforts aimed at the prevention of armed conflict, hinders considerably the provision of humanitarian assistance and compromises the effectiveness of the Council in discharging its primary responsibility for the maintenance of international peace and security. The Council expresses grave concern at the harmful impact of small arms and light weapons on civilians in situations of armed conflict, particularly on vulnerable groups such as women and children, and recalls in this regard its resolutions 1296 (2000) of 19 April 2000 and 1314 (2000) of 11 August 2000.
>
> "The Council further notes with satisfaction the growing awareness within the international community of the problem of the illicit trade in small arms and light weapons as a challenge that involves security, humanitarian and development dimensions. In this regard, the Council welcomes recent global and regional initiatives such as the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[402] the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,[403] the Document on Small Arms and Light Weapons adopted by the Organization for Security and Cooperation

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[400] S/PRST/2001/21.

[401] S/PRST/1999/28.

[402] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), para. 24.

[403] General Assembly resolution 55/255, annex.

in Europe,[404] the resolution on Small Arms of the Council of Ministers of the European Union of 15 March 2001, the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons,[405] and the extension of the Economic Community of West African States Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa.[406]

"The Council welcomes the adoption of the Programme of Action by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects, and calls upon all Member States to take the required measures to implement promptly the recommendations contained therein. The Council recognizes its responsibility in assisting in the implementation of this Programme of Action, and stresses that the success of the Programme depends on the political will and the efforts of Member States to implement the measures contained therein at the national, regional and global levels, as well as on the provision of international cooperation and assistance and on the follow-up agreed upon by the Conference, including the convening of a review conference no later than 2006.

"The Council reaffirms the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations and, subject to the Charter, the right of each State to import, produce and retain small arms and light weapons for its self-defence and security needs. Bearing in mind the considerable volume of licit trade in small arms and light weapons, the Council underlines the vital importance of effective national regulations and controls for this trade. In this regard, arms-exporting countries should exercise the highest degree of responsibility in small arms and light weapons transactions and all countries have the responsibility to prevent their illegal diversion and re-export, so as to stem the leakage of legal weapons to illegal markets. The Council also stresses the importance of international cooperation to enable States to identify and trace in a timely and reliable manner illicit small arms and light weapons.

"The Council underlines the importance of practical disarmament measures in averting armed conflicts, and encourages States and relevant international and regional organizations to facilitate the appropriate cooperation of civil society actors in activities related to the prevention and combating of the excessive and destabilizing accumulation of and illicit trafficking in small arms and light weapons, including facilitating greater awareness and better understanding of the nature and scope of this problem.

"The Council recognizes the important role of regional and subregional organizations in providing useful information and perspectives on the regional and subregional dimensions that characterize arms flows to conflicts, and underscores the importance of regional agreements and cooperation in this regard.

"The Council emphasizes the importance of the effective collection and control of small arms and light weapons, and of their storage and destruction, as appropriate, in the context of disarmament, demobilization and reintegration programmes, as well as other measures that may contribute to the effective disposal of small arms and light weapons and to prevention of the spread of those weapons to other regions. To this end, the Council welcomes the publication by the Secretary-General of the Handbook on Environmentally Sound Methods of Destruction of Small Arms, Light Weapons, Ammunition and Explosives. The Council stresses the importance of incorporating, on a case-by-case basis, in the negotiation, consolidation and implementation of peace agreements as well as in the mandates of United Nations peacekeeping operations, appropriate provisions for the disarmament, demobilization and reintegration of ex-combatants, taking into account the special needs of child soldiers.

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[404] A/CONF.192/PC/20, appendix.

[405] A/CONF.192/PC/23, annex.

[406] S/1998/1194, annex.

"The Council reiterates its call for the effective implementation of arms embargoes imposed by the Council in relevant resolutions, and encourages Member States to provide the sanctions committees with available information on alleged violations of arms embargoes. The Council expresses its determination to continue to improve the efficiency of the arms embargoes imposed by the Council on a case-by-case basis, including through the establishment of specific monitoring mechanisms or similar arrangements, as appropriate. The Council stresses the need to engage the relevant international organizations, non-governmental organizations, business and financial institutions and other actors at the international, regional and local levels to contribute to the implementation of arms embargoes.

"The Council stresses the need for cooperation and sharing of information among Member States, and among the different sanctions committees, on arms traffickers that have violated arms embargoes established by the Council. This information could also be provided to Interpol's International Weapons and Explosives Tracking System database or any other relevant database that may be developed for this purpose.

"The Council stresses the need for innovative strategies to address the relationship between the illicit exploitation of natural and other resources and the purchase of and trade in illegal weapons in those situations under its consideration. The Council expresses its intention to continue to consider employing effective measures to prevent the illicit exploitation of natural and other resources fuelling those conflicts. In this regard, information on financial or other transactions fuelling the illicit flow of arms to those conflicts should be made available to the Council.

"The Council requests the Secretary-General to include in his reports regarding relevant situations under consideration in the Council, analytical assessments on the illicit trade in small arms and light weapons including, to the extent possible and within available resources, availability, stockpiling, lines of supply, brokering, transportation arrangements and financial networks for those weapons, as well as their humanitarian impact on children.

"The Council recognizes the role of the Secretary-General in supporting the coordination of all United Nations activities to combat the illicit trade in small arms and light weapons. In this connection, the Council requests the Secretary-General to submit a report by September 2002 containing specific recommendations on ways and means in which the Council may contribute to dealing with the question of illicit trade in small arms and light weapons in situations under its consideration, taking into account the views of Member States, recent experiences in the field and the contents of the present statement."

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS

Decision

At its 4370th meeting, on 12 September 2001, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1368 (2001)
of 12 September 2001

The Security Council,

Reaffirming the principles and purposes of the Charter of the United Nations, *Determined* to combat by all means threats to international peace and security caused by terrorist acts,

Recognizing the inherent right of individual or collective self-defence in accordance with the Charter,

1. *Unequivocally condemns* in the strongest terms the horrifying terrorist attacks which took place on 11 September 2001 in New York, Washington, D.C. and Pennsylvania, and regards such acts, like any act of international terrorism, as a threat to international peace and security;

2. *Expresses its deepest sympathy and condolences* to the victims and their families and to the people and Government of the United States of America;

3. *Calls upon* all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of those terrorist attacks, and stresses that those responsible for aiding, supporting or harbouring the perpetrators, organizers and sponsors of those acts will be held accountable;

4. *Calls upon* the international community to redouble their efforts to prevent and suppress terrorist acts, including by increased cooperation and full implementation of the relevant international anti-terrorist conventions and Security Council resolutions, in particular resolution 1269 (1999) of 19 October 1999;

5. *Expresses its readiness* to take all necessary steps to respond to the terrorist attacks of 11 September 2001 and to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 4370th meeting.

Decision

At its 4385th meeting, on 28 September 2001, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1373 (2001)
of 28 September 2001

The Security Council,

Reaffirming its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001,

Reaffirming also its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C. and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

Reaffirming further that such acts, like any act of international terrorism, constitute a threat to international peace and security,

Reaffirming the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations and as reiterated in resolution 1368 (2001),

Reaffirming the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

Deeply concerned by the increase, in various regions of the world, in acts of terrorism motivated by intolerance or extremism,

Calling upon States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism, *Recognizing* the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

Reaffirming the principle established by the General Assembly in its Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, of 24 October 1970[407] and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State, or acquiescing in organized activities within its territory directed towards the commission of such acts,

Acting under Chapter VII of the Charter,

1. *Decides* that all States shall:

(*a*) Prevent and suppress the financing of terrorist acts;

(*b*) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, to carry out terrorist acts;

(*c*) Freeze, without delay, funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of or at the direction of such persons and entities, including funds derived or generated from property owned or controlled, directly or indirectly, by such persons and associated persons and entities;

(*d*) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

2. *Decides also* that all States shall:

(*a*) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;

(*b*) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;

(*c*) Deny safe haven to those who finance, plan, support or commit terrorist acts, or provide safe havens;

(*d*) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;

(*e*) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

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[407] General Assembly resolution 2625 (XXV), annex.

(*f*) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;

(*g*) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. *Calls upon* all States:

(*a*) To find ways to intensify and accelerate the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups and the threat posed by the possession of weapons of mass destruction by terrorist groups;

(*b*) To exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

(*c*) To cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;

(*d*) To become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism, of 9 December 1999;[408]

(*e*) To increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);

(*f*) To take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;

(*g*) To ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

4. *Notes with concern* the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance coordination of efforts at national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

5. *Declares* that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of the present resolution, with the assistance of appropriate expertise, and calls upon all States to report to the Committee, no later than ninety days from the date of adoption of the present resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement the present resolution;

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[408] General Assembly resolution 54/109, annex.

7. *Directs* the Committee to delineate its tasks, to submit a work programme within thirty days of the adoption of the present resolution, and to consider the support it requires, in consultation with the Secretary-General;

8. *Expresses its determination* to take all necessary steps in order to ensure the full implementation of the present resolution, in accordance with its responsibilities under the Charter of the United Nations;

9 *Decides* to remain seized of this matter.

Adopted unanimously at the 4385th meeting.

Decision

At its 4413th meeting, on 12 November 2001, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1377 (2001)

of 12 November 2001

The Security Council

Decides to adopt the attached declaration on the global effort to combat terrorism.

Adopted unanimously at the 4413th meeting.

Annex

The Security Council,

Meeting at the ministerial level,

Recalling its resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Declares that acts of international terrorism constitute one of the most serious threats to international peace and security in the twenty-first century;

Declares also that acts of international terrorism constitute a challenge to all States and to all of humanity;

Reaffirms its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed;

Stresses that acts of international terrorism are contrary to the purposes and principles of the Charter of the United Nations and that the financing, planning and preparation of, as well as any other form of support for, acts of international terrorism are similarly contrary to the purposes and principles of the Charter;

Underlines the fact that acts of terrorism endanger innocent lives and the dignity and security of human beings everywhere, threaten the social and economic development of all States and undermine global stability and prosperity;

Affirms that a sustained and comprehensive approach involving the active participation and collaboration of all States Members of the United Nations, and in accordance with the Charter and international law, is essential to combat the scourge of international terrorism;

Stresses that continuing international efforts to broaden the understanding among civilizations and to address regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which themselves are necessary to sustain the broadest possible fight against international terrorism;

Welcomes the commitment expressed by States to fight the scourge of international terrorism, including during the General Assembly plenary debate from 1 to 5 October 2001, calls upon all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, and encourages Member States to take forward work in this area;

Calls upon all States to take urgent steps to implement fully resolution 1373 (2001) and to assist each other in doing so, and underlines the obligation of States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism;

Expresses its determination to proceed with the implementation of that resolution in full cooperation with the whole membership of the United Nations, and welcomes the progress made so far by the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) to monitor the implementation of that resolution;

Recognizes that many States will require assistance in implementing all the requirements of resolution 1373 (2001), and invites States to inform the Counter-Terrorism Committee of areas in which they require such support,

Invites, in that context, the Counter-Terrorism Committee to explore ways in which States can be assisted and, in particular, to explore with international, regional and subregional organizations:

– The promotion of best practice in the areas covered by resolution 1373 (2001), including the preparation of model laws as appropriate;

– The availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of resolution 1373 (2001);

– The promotion of possible synergies between those assistance programmes;

Calls upon all States to intensify their efforts to eliminate the scourge of international terrorism.

Decisions

At its 4453rd meeting, on 18 January 2002, the Security Council decided to invite the representatives of Bangladesh, Belarus, Brunei Darussalam, Canada, Costa Rica, India, Israel, Jamaica, Japan, Mongolia, Morocco, Nauru, Nepal, Pakistan, Peru, Poland, Portugal, Qatar, Spain and Uzbekistan to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Sir Jeremy Greenstock, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

Upon resumption of the meeting, on 18 January 2002, the Council further decided to invite the representatives of the Islamic Republic of Iran and Tajikistan to participate, without vote, in the discussion of the item.

At the same meeting, the Council decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 18 January 2002 to the President of the Council,[409] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

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[409] Document S/2002/81, incorporated in the record of the 4453rd meeting (Resumption 1).

At its 4512th meeting, on 15 April 2002, the Council decided to invite the representatives of Australia, Cambodia, Canada, Chile, Costa Rica, Japan, Malawi, Pakistan, Peru, Spain, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Sir Jeremy Greenstock, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

Upon resumption of the meeting, on 15 April 2002, the Council decided to invite the representatives of Israel and Malaysia to participate, without vote, in the discussion of the item.

At its 4513th meeting, on 15 April 2002, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[410]

> "The Security Council welcomes the briefing by the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) of 28 September 2001 (the Counter-Terrorism Committee) on the work of the Committee, and other reflections by members of the Committee on its work so far.
>
> "The Council recalls the note by its President dated 4 October 2001,[411] which recorded that the Council would undertake a review of the structure and activities of the Counter-Terrorism Committee no later than 4 April 2002. The Council welcomes and confirms the continuation of the current arrangements of the Chairmanship and Bureau for a further six months. It invites the Committee to continue its work as set out in the work programme for the Committee for the third ninety-day period,[412] including to explore ways in which States can be assisted to implement the resolution; to build a dialogue with international, regional and subregional organizations active in the areas covered by resolution 1373 (2001), in accordance with the principles of the Charter of the United Nations and relevant Security Council resolutions; and to identify issues on which concerted international action would further the implementation of the letter and spirit of the resolution.
>
> "The Council considers it essential that those Member States which have not yet submitted a report pursuant to paragraph 6 of resolution 1373 (2001) do so as soon as possible.
>
> "The Council invites the Counter-Terrorism Committee to report on its activities at regular intervals and expresses its intention to review the structure and activities of the Committee no later than 4 October 2002."

At its 4561st meeting, on 27 June 2002, the Council decided to invite the representatives of Brunei Darussalam, Costa Rica and Spain to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Sir Jeremy Greenstock, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

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[410] S/PRST/2002/10.

[411] S/2001/935.

[412] S/2002/318.

SECURITY COUNCIL RESOLUTION 1054 (1996) OF 26 APRIL 1996

Decision

At its 4384th meeting, on 28 September 2001, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled "Security Council resolution 1054 (1996) of 26 April 1996".

Resolution 1372 (2001)
of 28 September 2001

The Security Council,

Recalling its resolutions 1044 (1996) of 31 January 1996, 1054 (1996) of 26 April 1996 and 1070 (1996) of 16 August 1996,

Noting the steps taken by the Government of the Sudan to comply with the provisions of resolutions 1044 (1996) and 1070 (1996),

Taking note in that respect of the letter dated 1 June 2000 from the Permanent Representative of South Africa to the United Nations on behalf of the Non-aligned Movement addressed to the President of the Security Council,[413] the letter dated 1 June 2000 from the Permanent Representative of Algeria to the United Nations on behalf of the League of Arab States addressed to the President of the Security Council,[414] the letter dated 2 June 2000 from the Permanent Representative of Gabon to the United Nations on behalf of the African Group[415] addressed to the President of the Security Council and the letter dated 20 June 2000 from the Secretary-General of the Organization of African Unity addressed to the President of the Security Council,

Taking note also of the letter dated 5 June 2000 from the Acting Minister for Foreign Affairs of the Federal Democratic Republic of Ethiopia and the letter dated 9 June 2000 from the Minister for Foreign Affairs of the Arab Republic of Egypt, supporting the lifting of sanctions imposed on the Republic of the Sudan,

Taking note further of the contents of the letter dated 1 June 2000 from the Minister of External Relations of the Republic of the Sudan addressed to the President of the Security Council,[416]

Welcoming the accession of the Republic of the Sudan to the relevant international conventions for the elimination of terrorism, its ratification of the International Convention for the Suppression of Terrorist Bombings, of 15 December 1997,[417] and its signing of the International Convention for the Suppression of Financing of Terrorism. of 9 December 1999,[418]

Acting under Chapter VII of the Charter of the United Nations,

Decides to terminate, with immediate effect, the measures referred to in paragraphs 3 and 4 of resolution 1054 (1996) and paragraph 3 of resolution 1070 (1996).

Adopted at the 4384th meeting
by 14 votes to none, with 1 abstention
(United States of America).

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[413] S/2000/521.

[414] S/2000/517.

[415] S/2000/533.

[416] S/2000/513.

[417] General Assembly resolution 52/164, annex.

[418] General Assembly resolution 54/109, annex.

THE SITUATION IN GUINEA-BISSAU

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998, 1999 and 2000.*]

Decisions

On 10 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[419]

> "I have the honour to inform you that your letter dated 5 October 2001 concerning your proposal that the current mandate of the United Nations Peace-building Support Office in Guinea-Bissau, which expires on 31 December 2001, be extended to 31 December 2002, [420] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

On 12 December 2001, the President of the Security Council addressed the following letter to the Secretary-General:[421]

> "I have the honour to inform you that your letter dated 5 December 2001 concerning your intention to appoint Mr. David Stephen as your Representative in Guinea-Bissau and Head of the United Nations Peace-building Support Office in Guinea-Bissau as of 1 February 2002[422] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

At its 4567th meeting, held in private on 8 July 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4567th meeting, held in private on 8 July 2002, the Security Council considered the item entitled 'The situation in Guinea-Bissau'.
>
> "The President, with the consent of the members of the Council, invited Mr. David Stephen, Representative of the Secretary-General and Head of the United Nations Peace-building Support Office in Guinea-Bissau to participate in the discussion of the item, in accordance with rule 39 of the provisional rules of procedure of the Council.
>
> "The Security Council heard a briefing by Mr. Stephen.
>
> "The members of the Council and Mr. Stephen had a constructive discussion."

NOBEL PEACE PRIZE

Decisions

At its 4390th meeting, on 12 October 2001, the Security Council considered the item entitled "Nobel Peace Prize".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[423]

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[419] S/2001/961.

[420] S/2001/960.

[421] S/2001/1181.

[422] S/2001/1180.

[423] S/PRST/2001/28.

"The Security Council today celebrates, together with the rest of the United Nations family, the award of the 2001 Nobel Peace Prize to the United Nations and to its Secretary-General, Mr. Kofi Annan.

"The United Nations is the embodiment of cooperation among States in safeguarding peace, advancing international development, and in combating common threats to the dignity and well-being of peoples everywhere.

"The United Nations remains today, in its activities around the world and in the ideals it sets, the best hope for a future in which peoples everywhere can work together to meet common challenges and to advance common goals.

"The Council today pays special tribute to all the men and women who work for the United Nations, whatever their tasks of duty, wherever they may be in the service of peace.

"The decision of the Norwegian Nobel Committee to award the 2001 Nobel Peace Prize to the United Nations and to the Secretary-General reflects the high esteem shared by people throughout the world for Mr. Annan. It rightly honours his exceptional achievements in the service of the United Nations and of the entire international community as well as honouring the achievements of the United Nations itself.

"In warmly congratulating the Secretary-General, Mr. Annan, the Council reiterates its own strong support for his efforts in upholding the purposes and principles of the Charter of the United Nations and for his role in assuring to the Organization its full and rightful place in the world and in leading its search for new ways forward for all men and women in all countries to live their lives with dignity and peace."

GENERAL ISSUES RELATING TO SANCTIONS

[*Resolutions or decisions on this question were also adopted by the Security Council in 2000.*]

Decisions

At its 4394th meeting, on 22 and 25 October 2001, the Security Council decided to invite the representatives of Germany and Sweden to participate, without vote, in the discussion of the item entitled "General issues relating to sanctions".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Switzerland to the United Nations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahima Fall, Assistant Secretary-General for Political Affairs.

BRIEFING BY JUDGE GILBERT GUILLAUME, PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE

[*Resolutions or decisions on this question were also adopted by the Security Council in 2000.*]

Decision

At its 4398th meeting, held in private on 29 October 2001, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4398th meeting, held in private on 29 October 2001, the Security Council considered the item entitled 'Briefing by Judge Gilbert Guillaume, President of the International Court of Justice'.
>
> "In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, the President extended an invitation under rule 39 of its provisional rules of procedure to Judge Gilbert Guillaume, President of the International Court of Justice, to brief the Council.
>
> "The members of the Council heard an informative briefing by Judge Guillaume."

WOMEN AND PEACE AND SECURITY

[*Resolutions or decisions on this question were also adopted by the Security Council in 2000.*]

Decisions

At its 4402nd meeting, on 31 October 2001, the Security Council considered the item entitled "Women and peace and security".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[424]

> "The Security Council reaffirms its commitment to the implementation of its resolution 1325 (2000) of 31 October 2000 and welcomes the efforts of the United Nations system, Member States, civil society organizations and other relevant actors in promoting the equal participation and full involvement of women in the maintenance and promotion of peace and security, and in implementing the provisions of resolution 1325 (2000).
>
> "The Council also reaffirms its strong support for increasing the role of women in decision-making with regard to conflict prevention and resolution and renews its call upon States to include women in the negotiation and implementation of peace accords, constitutions and strategies for resettlement and rebuilding, and to take measures to support local women's groups and indigenous processes for conflict resolution. In this regard, it recognizes the efforts of the Mano River Union Women's Peace Network in facilitating peace and dialogue in the Mano River Union region. It is also encouraged by the inclusion of women in the political decision-making bodies in Burundi, Somalia and East Timor.
>
> "The Council underscores the importance of promoting an active and visible policy of mainstreaming a gender perspective in all policies and programmes while addressing armed conflicts, in particular peacekeeping operations, in keeping with the statement by the President by the Security Council of 9 March 2000.[425]
>
> "The Council therefore reiterates its request to the Secretary-General to include, where appropriate, in his reporting to the Council, progress in gender mainstreaming throughout United Nations peacekeeping missions and in other aspects relating to women and girls. It expresses its intention to give full consideration to those reports and to take appropriate action thereon. The Council also reaffirms its call for the inclusion of gender components, as appropriate, in peacekeeping operations.

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[424] S/PRST/2001/31.

[425] S/PRST/2000/7.

"The Council renews its support for gender-sensitive training guidelines and material on the protection, rights and particular needs of women, as well as on the importance of involving women in all peacekeeping and peace-building measures. The Council calls upon all troop-contributing countries to include these elements in their national training programmes for peacekeepers.

"The Council welcomes the specific proposals made by the Secretary-General aimed at strengthening the Best Practices Unit of the Department of Peacekeeping Operations of the Secretariat through the appointment of gender advisers at sufficiently senior levels.

"The Council also welcomes the practical efforts, including the preparation of complementary reports, already made by the United Nations and its agencies, funds, programmes and regional bodies, in particular those participating in the Inter-agency Task Force on Women, Peace and Security, to implement all aspects of resolution 1325 (2000), as well as the timely issuance of the publication *Gender Perspective in Disarmament*, which gives a clear indication of ways in which women can be fully involved and the benefits to the parties concerned.

"The Council notes with satisfaction that the study by the Secretary-General, requested under paragraph 16 of resolution 1325 (2000), on the impact of armed conflict on women and girls, the role of women in peace-building and the gender dimensions of peace processes and conflict resolution, is under way, welcomes the coordinated comprehensive input of the United Nations and all the relevant agencies, funds and programmes of the United Nations system, and looks forward to its review of the study.

"The Council is concerned that still no women have been appointed as Special Representatives or Special Envoys of the Secretary-General to peace missions, and urges Member States to redouble their efforts to present names of women candidates to the Secretary-General. The Council also urges the Secretary-General to appoint women as Special Representatives and Special Envoys to pursue good offices on his behalf, in accordance with his strategic plan of action.[426]

"The Council recognizes the need to implement fully international humanitarian and human rights law that protects the rights of civilians, including women and girls during and after conflicts, and calls upon all parties to armed conflicts to take special measures to protect women and girls from gender-based violence and all other forms of violence.

"The Council remains actively seized of the matter and expresses its willingness to consider, as appropriate, the gender dimensions of armed conflicts in carrying out its responsibility of maintaining international peace and security under the Charter of the United Nations."

At its 4589th meeting, on 25 July 2002, the Council decided to invite the representatives of Australia, Canada, Chile, Denmark, Grenada, Jamaica, Japan, Liechtenstein, New Zealand, Nigeria and the Republic of Korea to participate, without vote, in the discussion of the item entitled "Women and peace and security".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, Ms. Angela King, Assistant Secretary-General and Special Adviser on Gender Issues and Advancement of Women and Ms. Noeleen Heyzer, Executive Director of the United Nations Development Fund for Women.

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[426] A/49/587 and Corr.1, para. 2.

LETTER DATED 31 MARCH 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF PAPUA NEW GUINEA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998, 1999 and 2000.*]

Decisions

On 31 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[427]

> "I have the honour to inform you that your letter dated 22 October 2001 concerning the request of the Government of Papua New Guinea for assistance from the United Nations in the implementation of the Agreement on Peace, Security and Development on Bougainville,[428] especially in the area of weapons collection and disposal,[429] has been brought to the attention of the members of the Security Council. They welcome your intention to respond positively to the request of the Government of Papua New Guinea, which is also supported by the Bougainville parties, taking note of the financial implications of the expanded functions of the United Nations Political Office in Bougainville."

On 14 December 2001, the President of the Security Council addressed the following letter to the Secretary-General:[430]

> "I have the honour to inform you that your letter dated 10 December 2001 concerning your intention to extend the mandate of the United Nations Political Office in Bougainvilie for twelve months[431] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION IN AFRICA

[*Resolutions or decisions on this question were also adopted by the Security Council in 1997, 1998, 1999 and 2000.*]

Decisions

On 31 October 2001, the President of the Security Council addressed the following letter to the Secretary-General:[432]

> "I have the honour to inform you that your letter dated 29 October 2001 concerning your decision to extend the appointment of Mr. Mohamed Sahnoun as your Special Adviser on Africa until 31 December 2002[433] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

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[427] S/2001/1028.

[428] See S/1998/287.

[429] S/2001/988.

[430] S/2001/1203.

[431] S/2001/1202.

[432] S/2001/1032.

[433] S/2001/1031.

On 12 December 2001, the President of the Security Council addressed the following letter to the Secretary-General:[434]

> "I have the honour to inform you that your letter dated 29 November 2001 concerning your intention to extend the appointment of Mr. Ibrahim Gambari as your Special Adviser for Africa until 28 February 2003[435] has been brought to the attention of the members of the Security Council. They have taken note of your intention and the information contained in your letter."

At its 4460th meeting, on 29 January 2002, the Council decided to invite the representatives of Algeria, Angola, Bangladesh, Canada, Côte d'Ivoire, Cuba, the Democratic Republic of the Congo, Djibouti, Egypt, Ghana, India, Jamaica, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Morocco, Mozambique, Nigeria, Senegal, Sierra Leone, South Africa, Spain, Tunisia, Uganda, Ukraine and Zambia to participate, without vote, in the discussion of the item entitled:

> "The situation in Africa
>
> "Letter dated 10 January 2002 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/2002/46)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Amara Essy, Secretary-General of the Organization of African Unity/African Union and Mr. Ivan Šimonović, President of the Economic and Social Council.

Upon resumption of the meeting, on 30 January 2002, Mr. Ibrahima Fall, Assistant Secretary-General for Political Affairs, made a statement.

At its 4465th meeting, on 31 January 2002, the Council considered the item entitled:

> "The situation in Africa
>
> "Letter dated 10 January 2002 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/2002/46)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[436]

> "The Security Council expresses its appreciation to Mr. Amara Essy, Secretary-General of the Organization of African Unity, as well as to the Ministers who participated in the public meeting on the 'situation in Africa', held on 29 January 2002,[437] for their invaluable contributions to the debate thereon.
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> "The Council reaffirms the principles of the political independence, sovereignty and territorial integrity of all States, and their obligation to settle their disputes by peaceful means.
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> "The Council, recalling its primary responsibility for the maintenance of international peace and security as well as the provisions of Chapter VIII of the Charter of the United Nations, underscores the importance of partnership and enhanced coordination and cooperation, based on complementarity and comparative advantage, between the United Nations, the Organization of African Unity and subregional organizations in Africa in the promotion of regional peace and stability. It welcomes the decision of the Assembly of Heads of State and Government of the Organization of African Unity, at its thirty-seventh

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[434] S/2001/1179.

[435] S/2001/1178.

[436] S/PRST/2002/2.

[437] S/PV.4460.

ordinary session, held in Lusaka from 9 to 11 July 2001,[438] to undertake a review of the structures, procedures and working methods of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution. It emphasizes the importance of enhanced cooperation and of ensuring better coordination between the United Nations and the Organization of African Unity in order to achieve a lasting solution to conflicts. In this regard, it requests the Secretary-General to encourage the United Nations Liaison Office to the Organization of African Unity in Addis Ababa to interact more closely with the Organization of African Unity Mechanism on the conflicts in Africa. The Council expresses its readiness to deepen its cooperation with the Organization of African Unity and subregional organizations, and invites them to inform it at the earliest possible stage of their decisions and initiatives that could have implications relating to its responsibilities under the Charter.

"The Council calls upon the United Nations system to intensify its cooperation, including assistance, within existing resources, to the Organization of African Unity and subregional organizations in Africa in the field of capacity-building, particularly in early warning, conflict prevention and peacekeeping. It also stresses the importance of effective interaction between the United Nations system, the Organization of African Unity and subregional organizations through the exchange of information and analysis at the conflict prevention stage; coordination and clear understanding of respective roles in forwarding peace processes; and coordinated support to national and regional peace-building efforts. In this regard, the Council welcomes the establishment of the United Nations Office in West Africa and requests the Secretary-General to take all necessary measures for that Office to be fully operational.

"The Council notes with satisfaction that good offices missions carried out by prominent political leaders of Africa facilitated significant progress in the political settlement of certain conflicts. It encourages the Organization of African Unity and subregional organizations, taking into account the specific situation of conflicts, to seek the appointment of such figures as special envoys as well as to employ, where appropriate, the traditional methods of conflict resolution, including the establishment of councils of elders. The Council stresses the importance of the preventive character of such efforts and emphasizes the need for their proper coordination. The Council stresses the specific needs of women and children in peace processes and encourages the strengthening of the role of women and youth in the search for solutions to conflicts in Africa.

"The Council encourages the ongoing efforts undertaken by the international community in addressing the root causes of conflicts in Africa, as indicated in the report of the Secretary-General on the causes of conflicts and the promotion of durable peace and sustainable development in Africa.[439] The Council, bearing in mind the linkages between conflicts in Africa and, inter alia, poverty and development, the illicit proliferation of small arms and light weapons, the problems of refugees and internally displaced persons, the illegal exploitation of natural resources and social exclusion, as a source of intra-State conflicts, reaffirms its continued commitment in addressing these problems and encourages the Organization of African Unity as well as subregional organizations and international financial institutions to do likewise. The Council stresses that the early resumption of international cooperation and development aid to countries where a peace process is being implemented is of critical importance for the success of that process and also stresses the importance of the role of the donor community and international financial institutions in this regard.

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[438] See A/56/457, annex I.

[439] S/1998/318.

"The Council stresses that good governance, democracy, rule of law, the respect for human rights and the fight against poverty are essential for peace, stability and sustainable development in Africa. It also stresses the importance of national reconciliation through dialogue in respective countries. It expresses its strong support for the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999,[440] denying recognition to Governments that come to power through unconstitutional means, and notes with satisfaction that the decision is being implemented. It reaffirms that the resolution of conflicts in Africa requires, above all, the political will and courage of the parties themselves to seek peace.

"The Council expresses concern over the effects of conflicts on civilian populations, including violations of human rights, in particular those affecting the most vulnerable groups such as the elderly, women and children. It emphasizes the responsibility of States concerned to put an end to impunity and to prosecute those responsible for such acts.

"The Council underlines the need to address the problem of refugees and internally displaced persons, which, in addition to its humanitarian consequences, constitutes a burden on the affected countries and may become a source of conflict. It notes the shortfall in funding for refugee and internally displaced persons programmes in Africa and reiterates its call upon the international community to provide such programmes with the necessary financial resources, taking into account the substantial needs in Africa.

"The Council, recalling its resolution 1308 (2000) of 17 July 2000, inter alia, recognizing that the HIV/AIDS pandemic is also exacerbated by conditions of violence and instability and constitutes a potential risk to stability and security, reiterates that the pandemic, if unchecked, may pose a risk to stability and security. The Council urges the international community and donors to coordinate their efforts in the fight against HIV/AIDS.

"The Council reiterates the importance of disarmament, demobilization and reintegration in the process of conflict resolution and post-conflict peace-building, and notes the lack of adequate resources for effective reintegration programmes. In this regard, it urges the international community to support such programmes, including through the implementation of quick impact projects.

"The Council notes that African States can contribute to peace and security in the continent by implementing transparency and confidence-building measures. In this regard, the Council reiterates its call upon all States to implement the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.[441]

"The Council welcomes the participation of the Economic and Social Council in its public meeting on the situation in Africa, held on 29 January 2002.[437] It reaffirms the importance of strengthening its cooperation, through greater interaction, with the Economic and Social Council, in accordance with Article 65 of the Charter, in the area of the prevention of armed conflicts, including in addressing the economic, social, cultural and humanitarian problems. The Security Council, noting the time it devotes to discussing African conflicts and the specificity of the problems of Africa, underlines that economic rehabilitation and reconstruction constitute important elements in the long-term development of post-conflict societies and the maintenance of lasting peace, and calls for greater international assistance in this regard. The Council expresses its resolve to seek to establish the political conditions for non-recurrence of a particular conflict before withdrawing any peacekeeping operation.

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[440] See A/54/424, annex I.

[441] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), para. 24.

"The Council commends and supports the efforts of African countries within the framework of the fight against international terrorism.

"The Council welcomes the ongoing transformation of the Organization of African Unity into the African Union and encourages and supports the principles of the New Partnership for Africa's Development to create the conditions for development and to enhance economic integration in Africa. It recognizes that sound economic policies will further enhance peace and stability in the region. It calls upon the donor countries and the Bretton Woods institutions to continue to assist Africa in implementing the Heavily Indebted Poor Countries initiatives and to work with African Governments, through the New Partnership, to create necessary conditions to attract and mobilize public and private sector resources in support of economic growth and poverty reduction.

"The Council notes the usefulness of its meeting with the Secretary-General of the Organization of African Unity and stresses the importance of holding such consultations on a regular basis, at least once a year, in the future.

"The Council recognizes the need for adequate measures to prevent and resolve conflicts in Africa, and will consider the setting up of an ad hoc working group to monitor the above recommendations and to enhance coordination with the Economic and Social Council."

At its 4538th meeting, on 22 May 2002, the Council decided to invite the representatives of Algeria, Angola, Australia, Bahrain, Bangladesh, Benin, Burundi, Costa Rica, Côte d'Ivoire, Cuba, Djibouti, Egypt, Gabon, Gambia, India, Japan, the Libyan Arab Jamahiriya, Malawi, Mali, Morocco, Mozambique, Nepal, Nigeria, Pakistan, the Republic of Korea, Rwanda, Senegal, Sierra Leone, Somalia, South Africa, Spain, Tunisia, Ukraine, the United Republic of Tanzania and Zambia to participate, without vote, in the discussion of the item entitled:

"The situation in Africa

"Ad hoc Working Group on Conflict Prevention and Resolution in Africa".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jagdish Koonjul, Chairman of the Ad hoc Working Group on Conflict Prevention and Resolution in Africa.

At the same meeting, in response to the request dated 21 May 2002 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council,[442] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Amadou Kébé, Permanent Observer of the Organization of the African Unity to the United Nations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ivan Šimonović, President of the Economic and Social Council and Mr. Ibrahima Fall, Assistant Secretary-General for Political Affairs.

At the same meeting, following the statement by the representative of Spain, the President of the Security Council also extended an invitation to Mr. Hans Dahlgren, Special Representative of the Presidency of the European Union to the countries of the Mano River Union.

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[442] Document S/2002/554, incorporated in the record of the 4538th meeting.

Upon resumption of the meeting, on 22 May 2002, the Council further decided to invite the representatives of Cape Verde, the Central African Republic, Ethiopia and Malaysia to participate, without vote, in the discussion of the item.

At its 4577th meeting, on 18 July 2002, the Council decided to invite the representatives of Denmark, Japan, Morocco and Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Africa".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, Ms. Carolyn McAskie, Deputy to the Under-Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, and Mr. Ivan Šimonović, President of the Economic and Social Council.

At the same meeting, in response to the request dated 15 July 2002 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council,[443] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Sylvian Ngung, Deputy Permanent Observer of the African Union to the United Nations.

Upon resumption of the meeting, on 18 July 2002, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs, and Mr. Abdoulaye Mar Dieye, Director for West Africa, of the United Nations Development Programme.

At the same meeting, in response to the request dated 15 July 2002 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council,[444] the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to General Chekh Omar Diarra, Deputy Executive Secretary of the Economic Community of West African States.

Upon resumption of the meeting, on 18 July 2002, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Florian Fichtl, Senior Social Protection Specialist for Regional Human Development, of the World Bank.

CHILDREN AND ARMED CONFLICT

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998, 1999 and 2000.*]

Decisions

At its 4422nd meeting, on 20 November 2001, the Security Council decided to invite the representatives of Belgium, Canada, Egypt, Iraq, Israel, Japan, Malaysia, Mexico, Nigeria, the Republic of Korea, Slovenia and South Africa to participate, without vote, in the discussion of the item entitled:

"Children and armed conflict

"Report of the Secretary-General on children and armed conflict (S/2001/852)".

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[443] Document S/2002/761, incorporated in the record of the 4577th meeting.

[444] Document S/2002/760, incorporated in the record of the 4577th meeting (Resumption 1).

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict, and Ms. Carol Bellamy, Executive Director of the United Nations Children's Fund.

At its 4423rd meeting, on 20 November 2001, the Council considered the item entitled:

"Children and armed conflict

"Report of the Secretary-General on children and armed conflict (S/2001/852)".

Resolution 1379 (2001)
of 20 November 2001

The Security Council,

Recalling its resolution 1314 (2000) of 11 August 2000,

Also recalling its resolutions 1261 (1999) of 28 August 1999, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1306 (2000) of 5 July 2000, 1308 (2000) of 17 July 2000 and 1325 (2000) of 31 October 2000 and the statements by its President of 29 June 1998,[445] 12 February,[446] 8 July[447] and 30 November 1999,[448] 20 July 2000[449] and 31 August 2001,[450]

Recognizing the harmful and widespread impact of armed conflict on children and the long-term consequences this has for durable peace, security and development,

Bearing in mind the purposes and principles of the Charter of the United Nations, and recalling the primary responsibility of the Security Council for the maintenance of international peace and security and, in this connection, its commitment to address the impact of armed conflict on children,

Underlining the need for all parties concerned to comply with the provisions of the Charter and with international law, in particular those regarding children,

Having considered the report of the Secretary-General of 7 September 2001 on the implementation of resolution 1314 (2000) on children and armed conflict,[451]

1. *Expresses, accordingly, its determination* to give the fullest attention to the question of the protection of children in armed conflict when considering the matters of which it is seized;

2. *Expresses its readiness* explicitly to include provisions for the protection of children when considering the mandates of peacekeeping operations, and reaffirms in this regard its readiness to continue to include, where appropriate, child protection advisers in peacekeeping operations;

3. *Supports* the ongoing work of the Secretary-General, the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights, other agencies of the United Nations system and other international organizations dealing with children affected by armed conflict;

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[445] S/PRST/1998/18.

[446] S/PRST/1999/6.

[447] S/PRST/1999/21.

[448] S/PRST/1999/34.

[449] S/PRST/2000/25.

[450] S/PRST/2001/21.

[451] S/2001/852.

4. *Expresses its intention*, where appropriate, to call upon the parties to a conflict to make special arrangements to meet the protection and assistance requirements of women, children and other vulnerable groups, including through the promotion of "days of immunization" and other opportunities for the safe and unhindered delivery of basic necessary services;

5. *Underlines* the importance of the full, safe and unhindered access of humanitarian personnel and goods and the delivery of humanitarian assistance to all children affected by armed conflict;

6. *Expresses its intention* to consider taking appropriate steps, in accordance with the Charter of the United Nations, to address the linkages between armed conflict and terrorism, the illicit trade in precious minerals, the illicit trafficking in small arms and light weapons, and other criminal activities, which can prolong armed conflict or intensify its impact on civilian populations, including children;

7. *Undertakes* to consider, as appropriate when imposing measures under Article 41 of the Charter, the economic and social impact of sanctions on children, with a view to providing appropriate humanitarian exemptions that take account of their specific needs and their vulnerability, and to minimize such impact;

8. *Calls upon* all parties to armed conflict:

(*a*) To respect fully the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict, in particular the Geneva Conventions of 1949[452] and the obligations applicable to them under the Additional Protocols thereto, of 1977,[453] the United Nations Convention on the Rights of the Child of 1989,[454] the Optional Protocol thereto, of 25 May 2000,[455] amended Protocol II[456] to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, the Convention on the Elimination of the Worst Forms of Child Labour (Convention No. 182) of the International Labour Organization and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction,[457] and notes the inclusion as a war crime in the Rome Statute of the International Criminal Court[458] conscription or enlistment children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities;

(*b*) To provide protection and assistance to refugees and internally displaced persons, the majority of whom are women and children, in accordance with applicable international norms and standards;

(*c*) To take special measures to promote and protect the rights and meet the special needs of girls affected by armed conflict, and to put an end to all forms of violence and exploitation, including sexual violence, particularly rape;

(*d*) To abide by the concrete commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict, as well as relevant United Nations bodies, to ensure the protection of children in situations of armed conflict;

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[452] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[453] Ibid., vol. 1125, Nos. 17512 and 17513.

[454] General Assembly resolution 44/25, annex.

[455] General Assembly resolution 54/263, annex I.

[456] CCW/CONF.I/16 (Part I), Annex B.

[457] United Nations, *Treaty Series*, vol. 2056, No. 35597.

[458] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

(*e*) To provide for protection of children in peace agreements, by including, where appropriate, provisions relating to the disarmament, demobilization, reintegration and rehabilitation of child soldiers and the reunification of families, and to consider, when possible, the views of children in those processes;

9. *Urges* Member States:

(*a*) To put an end to impunity, to prosecute those responsible for genocide, crimes against humanity, war crimes, and other egregious crimes perpetrated against children and to exclude, where feasible, those crimes from amnesty provisions and relevant legislation, and to ensure that post-conflict truth-and-reconciliation processes address serious abuses involving children;

(*b*) To consider appropriate legal, political, diplomatic, financial and material measures, in accordance with the Charter, in order to ensure that parties to armed conflict respect international norms for the protection of children;

(*c*) To consider, where appropriate, measures that may be taken to discourage corporate actors within their jurisdiction from maintaining commercial relations with parties to armed conflicts that are on the agenda of the Security Council, when those parties are violating applicable international law on the protection of children in armed conflict;

(*d*) To consider measures against corporate actors, individuals and entities within their jurisdiction that engage in illicit trade in natural resources and small arms, in violation of relevant Council resolutions and the Charter;

(*e*) To consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict[455] and the Convention on the Elimination of the Worst Forms of Child Labour;

(*f*) To consider further steps for the protection of children, especially in the context of the International Decade for a Culture of Peace and Non-violence for the Children of the World (2001–2010);

10. *Requests* the Secretary-General:

(*a*) To take the protection of children into account in peacekeeping plans submitted to the Council, inter alia, by including, on a case-by-case basis, child protection staff in peacekeeping and, as appropriate, peace-building operations and strengthening expertise and capacity in the area of human rights, where necessary;

(*b*) To ensure that all peacekeeping personnel receive and follow appropriate guidance on HIV/AIDS and training in international human rights, humanitarian and refugee law relevant to children;

(c) To continue and intensify, on a case-by-case basis, monitoring and reporting activities by peacekeeping and peace-building support operations on the situation of children in armed conflict;

11. *Requests* the agencies, funds and programmes of the United Nations:

(*a*) To coordinate their support and assistance to parties to armed conflict in fulfilling their obligations and commitments to children;

(*b*) To take account of ways to reduce child recruitment that is contrary to accepted international standards, when formulating development assistance programmes;

(*c*) To devote particular attention and adequate resources to the rehabilitation of children affected by armed conflict, particularly their counselling, education and appropriate vocational opportunities, as a preventive measure and as a means of reintegrating them into society;

(*d*) To ensure that the special needs and particular vulnerabilities of girls affected by armed conflict, including those heading households, orphaned, sexually exploited and used as combatants, are duly taken into account in the design of development assistance programmes, and that adequate resources are allocated to such programmes;

(*e*) To integrate HIV/AIDS awareness, prevention, care and support into emergency, humanitarian, and post-conflict programmes;

(*f*) To support the development of local capacity to address post-conflict child rehabilitation and reintegration concerns;

(*g*) To promote a culture of peace, including through support for peace education programmes and other non-violent approaches to conflict prevention and resolution, in peace-building activities;

12. *Encourages* the international financial institutions and regional financial and development institutions:

(*a*) To devote part of their assistance to rehabilitation and reintegration programmes conducted jointly by agencies, funds, programmes and State parties to conflicts that have taken effective measures to comply with their obligations to protect children in situations of armed conflict, including the demobilization and reintegration of child soldiers, in particular those who have been used in armed conflicts contrary to international law;

(*b*) To contribute resources for quick-impact projects in conflict zones where peacekeeping operations are deployed or are in the process of deployment;

(*c*) To support the efforts of the regional organizations engaged in activities for the benefit of children affected by armed conflict, by providing them with financial and technical assistance, as appropriate;

13. *Urges* regional and subregional organizations and arrangements:

(*a*) To consider establishing, within their secretariats, child protection mechanisms for the development and implementation of policies, activities and advocacy for the benefit of children affected by armed conflict, and to consider the views of children in the design and implementation of such policies and programmes, where possible;

(*b*) To consider including child protection staff in their peacekeeping and field operations and to provide training to members of such operations on the rights and protection of children;

(*c*) To take steps leading to the elimination of cross-border activities deleterious to children in times of armed conflict, such as the cross-border recruitment and abduction of children, the sale of or traffic in children, attacks on camps and settlements of refugees and internally displaced persons, the illicit trade in precious minerals, the illicit trafficking in small arms and light weapons, and other criminal activities;

(*d*) To develop and expand regional initiatives to prevent the use of child soldiers in violation of international law and to take appropriate measures to ensure the compliance by parties to armed conflict with obligations to protect children in armed conflict situations;

14. *Requests* the Secretary-General to continue to include in his written reports to the Council on conflict situations his observations concerning the protection of children and his recommendations in this regard;

15. *Also requests* the Secretary-General to submit a report to the Council by 31 October 2002 on the implementation of the present resolution and resolutions 1261 (1999) and 1314 (2000);

16. *Further requests* the Secretary-General to attach to his report a list of parties to armed conflict that recruit or use children in violation of the international obligations applicable to them, in situations that are on the agenda of the Council or that may be brought to the attention of the Council by the Secretary-General in accordance with Article 99 of the Charter, and which, in his opinion, may threaten the maintenance of international peace and security;

17. *Decides* to remain actively seized of this matter.

Adopted unanimously at the 4423rd meeting.

Decisions

At its 4528th meeting, on 7 May 2002, the Security Council considered the item entitled "Children and armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Graça Machel, former Minister of Education for Mozambique, former Independent Expert of the Secretary-General on the Impact of Armed Conflict on Children, and author of the recent book entitled "The Impact of War on Children", and Ms. Carol Bellamy, Executive Director of the United Nations Children's Fund.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[459]

> "The Security Council, recalling its resolutions 1261 (1999) of 28 August 1999, 1314 (2000) of 11 August 2000 and 1379 (2001) of 20 November 2001 on children and armed conflict, expresses its commitment to the protection of children affected by armed conflict as an essential component of its work to promote and maintain international peace and security.
>
> "The Council expresses its concern at the grave impact of armed conflict in all its various aspects on children and reiterates its strong condemnation of the continued targeting and use of children in armed conflicts, including their abduction, compulsory recruitment, mutilation, forced displacement, and sexual exploitation and abuse, and calls upon all parties to conflict to desist from such practices immediately.
>
> "The Council reaffirms its call for the inclusion of provisions for the protection of children, with particular attention to the special needs of girls, in peace negotiations and peace agreements, mandates and reports concerning peacekeeping operations, rehabilitation and peace-building programmes, training programmes for peacekeeping and humanitarian personnel, as well as the inclusion of child protection advisers in peacekeeping and peace-building operations, in accordance with previous resolutions and presidential statements adopted by the Council, in particular resolution 1379 (2001).
>
> "The Council looks forward to a successful final document concerning the protection of children affected by armed conflict on the occasion of the special session of the General Assembly on children. The Council further reiterates its call to all parties to abide by their obligations, as well as concrete commitments made to the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund and other relevant United Nations bodies, to ensure the protection of children in situations of armed conflict in all its various aspects.
>
> "The Council welcomes the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[455] and urges Member States to consider ratification and States parties to fully implement these provisions.
>
> "The Council underscores the importance of unhindered humanitarian access for the benefit of children and, in this connection, calls upon parties to conflict to make special arrangements to meet the protection and assistance requirements of children, including where appropriate the promotion of 'days of immunization'.
>
> "The Council will remain actively seized of this matter."

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[459] S/PRST/2002/12.

LETTER DATED 30 APRIL 2001 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Decisions

On 29 November 2001, the President of the Security Council addressed the following letter to the Secretary-General:[460]

> "I have the honour to inform you that your letter dated 26 November 2001 concerning your intention to establish the Office of the Special Representative of the Secretary-General for West Africa[461] has been brought to the attention of the members of the Security Council. They welcome your intention to establish the Office of the Special Representative and take note of the functions of the Office stated in your letter."

At its 4439th meeting, on 18 December 2001, the Council decided to invite the representatives of Belgium, Egypt, Guinea, Morocco, Nigeria and Sierra Leone to participate, without vote, in the discussion of the item entitled "Letter dated 30 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/434)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahima Fall, Assistant Secretary-General for Political Affairs.

At its 4440th meeting, on 19 December 2001, the Council considered the item entitled "Letter dated 30 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/434)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[462]

> "The Security Council, during its public meetings of 14 May[463] and 18 December 2001,[464] considered the report of the Inter-Agency Mission to West Africa.[465]
>
> "The Council welcomes with satisfaction the above report and fully supports initiatives taken with a view to implementing its recommendations. It welcomes, in particular, the establishment of the Office of the Special Representative of the Secretary-General for West Africa to ensure, inter alia, the strengthening of the harmonization and coordination of the activities of the United Nations system in an integrated regional perspective and the development of a fruitful partnership with the Economic Community of West African States, other subregional organizations and international and national actors, including civil society.
>
> "The Council emphasizes that greater subregional integration must remain a key goal for the United Nations system in the search for lasting solutions to the conflicts in West Africa and to the human suffering to which these give rise. It stresses the need to furth strengthen the capacities of the Economic Community of West African States in areas which would enable it to act as the engine of subregional integration and increased cooperation with the United Nations system.
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> "The Council underlines the importance of taking steps to develop cooperation and coordination among the intergovernmental bodies and entities of the United Nations system

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[460] S/2001/1129.

[461] S/2001/1128.

[462] S/PRST/2001/38.

[463] S/PV.4319.

[464] S/PV.4439.

[465] See S/2001/434.

which can influence the situation in West Africa, and expresses its intention to consider measures to coordinate its action with those bodies and entities.

"The Council emphasizes the need to maintain regional peace and stability and, in that connection, welcomes the progress made in the Mano River Union area. It also emphasizes the need to see to the effective implementation of the confidence-building and cooperation measures agreed upon by Guinea, Liberia and Sierra Leone, and strongly encourages these three countries to do their utmost to hold a summit meeting of their heads of State and to ensure its success. It commends civil society, particularly the Mano River Union Women's Peace Network, for its instrumental role in facilitating dialogue among the leaders of the region.

"The Council also emphasizes the need to strengthen the capacity of the Economic Community of West African States to monitor and to stem the illicit flows of small arms and the establishment of militia. In this connection, it welcomes the extension for a period of three years, starting on 5 July 2001, of the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa.[466] It appeals to the international community to provide appropriate financial assistance to the Programme for Coordination and Assistance for Security and Development and to the national mechanisms involved in the fight against the proliferation of small arms in West Africa.

"The Council also emphasizes the urgent need to solve the problem of refugees and displaced persons in the subregion by permitting voluntary returns as soon as possible, under acceptable security conditions.

"The Council reiterates its condemnation of the use, by State and non-State actors, of children as combatants in violation of the relevant international instruments on the rights of the child and the Accra Declaration on War-Affected Children in West Africa and the related Plan of Action, adopted on 28 April 2000. It calls for the immediate demobilization of all child soldiers.

"The Council welcomes the holding in New York, on 16 November 2001, of the fifth meeting of the United Nations-Economic Community of West African States-Government of Sierra Leone coordination mechanism, and the progress made in the peace process in Sierra Leone. It appeals to the international community for substantial financial assistance for the programme for the disarmament, demobilization and reintegration of former combatants and other peace consolidating activities in Sierra Leone.

"The Council welcomes the holding of the twenty-fifth session of the Authority of Heads of States and of Government of the Economic Community of West African States, held at Dakar on 21 and 22 December 2001. It pays tribute to that organization for its major contribution to the restoration of peace, stability, democracy and development in West Africa.

"The Council will remain actively seized of this matter."

On 19 March 2002, the President of the Security Council addressed the following letter to the Secretary-General:[467]

"I have the honour to inform you that your letter dated 14 March 2002 concerning your decision to appoint Mr. Ibrahima Fall as your Special Representative and Head of the Office of the Special Representative of the Secretary-General for West Africa[468] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

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[466] S/1998/1194, annex.

[467] S/2002/295.

[468] S/2002/294.

On 15 July 2002, the President of the Security Council addressed the following letter to the Secretary-General:[469]

"I have the honour to inform you that your letter dated 11 July 2002 concerning your intention to appoint Mr. Ahmedou Ould-Abdallah as your Special Representative for West Africa[470] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

SECURITY COUNCIL WORKING GROUP ON PEACEKEEPING OPERATIONS

Decision

At its 4447th meeting, held in private on 14 January 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4447th meeting, held in private on 14 January 2002, the Security Council considered the third report of the Security Council Working Group on Peacekeeping Operations.[471]

"The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Curtis Ward, former Chairman of the Security Council Working Group on Peacekeeping Operations.

"The members of the Council made comments and posed questions in connection with the briefing.

"Mr. Ward responded to the comments and questions posed by members of the Council.

"The members of the Council approved a note by the President of the Council."[472]

BRIEFING BY MR. RUUD LUBBERS, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Decisions

At its 4470th meeting, on 7 February 2002, the Security Council considered the item entitled "Briefing by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ruud Lubbers, United Nations High Commissioner for Refugees.

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[469] S/2002/771.

[470] S/2002/770.

[471] S/2001/1335, annex.

[472] S/2002/56.

FOOD AID IN THE CONTEXT OF CONFLICT SETTLEMENT: AFGHANISTAN AND OTHER CRISIS AREAS

Decisions

At its 4507th meeting, on 4 April 2002, the Security Council considered the item entitled:

"Food aid in the context of conflict settlement: Afghanistan and other crisis areas

"Briefing by Ms. Catherine Bertini, Executive Director of the World Food Programme".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Catherine Bertini, Executive Director of the World Food Programme.

UNITED NATIONS PEACEKEEPING

Decision

At its 4572nd meeting, on 12 July 2002, the Security Council considered the item entitled "United Nations peacekeeping".

Resolution 1422 (2002)
of 12 July 2002

The Security Council,

Noting the entry into force on 1 July 2002 of the Rome Statute of the International Criminal Court, done at Rome 17 July 1998 (the Rome Statute),[473]

Emphasizing the importance to international peace and security of United Nations operations,

Noting that not all States are parties to the Rome Statute,

Noting also that States parties to the Rome Statute have chosen to accept its jurisdiction in accordance with the Statute, in particular the principle of complementarity,

Noting further that States not party to the Rome Statute will continue to fulfil their responsibilities in their national jurisdictions in relation to international crimes,

Determining that operations established or authorized by the Security Council are deployed to maintain or restore international peace and security,

Determining also that it is in the interests of international peace and security to facilitate the ability of Member States to contribute to operations established or authorized by the Council,

Acting under Chapter VII of the Charter of the United Nations,

1. *Requests*, consistent with the provisions of Article 16 of the Rome Statute,[473] that the International Criminal Court, if a case arises involving current or former officials or personnel

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[473] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998, vol. I: Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

from a contributing State not a party to the Rome Statute over acts or omissions relating to a United Nations established or authorized operation, shall for a twelve-month period starting 1 July 2002 not commence or proceed with investigation or prosecution of any such case, unless the Security Council decides otherwise;

2. *Expresses the intention* to renew the request in paragraph 1 above under the same conditions each 1 July for further twelve-month periods for as long as may be necessary;

3. *Decides* that Member States shall take no action inconsistent with paragraph 1 above and with their international obligations;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 4572nd meeting

Part II. Other matters considered by the Security Council

SECURITY COUNCIL WORKING METHODS AND PROCEDURE

Decisions

On 5 January 2001, the President of the Security Council issued the following note:[474]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[475] and following consultations among the members of the Council, it was agreed to elect the Chairpersons and Vice-Chairpersons of the following Sanctions Committees for a period running until 31 December 2001:

Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait

Chairman: Mr. Ole Peter Kolby (Norway)
Vice-Chairmen: Mauritius and Ukraine

Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya

Chairman: Mr. Valeri P. Kuchynski (Ukraine)
Vice-Chairmen: Bangladesh and Jamaica

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Mr. Saïd Ben Mustapha (Tunisia)
Vice-Chairmen: Jamaica and Norway

Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

Chairman: Mr. Richard Ryan (Ireland)
Vice-Chairmen: Colombia and Singapore

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: Mr. Moctar Ouane (Mali)
Vice-Chairmen: Ireland and Tunisia

Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia

Chairman: Mr. Kishore Mahbubani (Singapore)
Vice-Chairmen: Ireland and Mauritius

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Mr. Anwarul Karim Chowdhury (Bangladesh)
Vice-Chairmen: Mali and Singapore

Security Council Committee established pursuant to resolution 1160 (1998)

Chairperson: Ms. M. Patricia Durrant (Jamaica)
Vice-Chairmen: Norway and Tunisia

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[474] S/2001/10.

[475] S/1998/1016.

Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan

Chairman: Mr. Alfonso Valdivieso (Colombia)
Vice-Chairmen: Mali and Ukraine

Security Council Committee established pursuant to resolution 1298 (2000) concerning the situation between Eritrea and Ethiopia

Chairman: Mr. Anund Priyay Neewoor (Mauritius)
Vice-Chairmen: Colombia and Tunisia

"2. The Bureau of each of the above-mentioned Sanctions Committees will be composed as above for a term ending on 31 December 2001."

On 14 February 2001, the President of the Security Council issued the following note:[476]

"Following consultations among the members of the Security Council, it has been agreed that Mr. Curtis A. Ward, Deputy Permanent Representative of Jamaica to the United Nations, will serve as Chairman of the Working Group of the Security Council on United Nations Peacekeeping Operations established pursuant to the eleventh and twelfth paragraphs of the statement made by the President of the Security Council at the 4270th meeting of the Council, held on 31 January 2001,[477] for a period running until 31 December 2001."

On 12 March 2001, the President of the Security Council issued the following note:[478]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[475] and following consultations among the members of the Council, the members of the Council agreed to elect the Chairman and Vice-Chairmen of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia:

Chairman: Mr. Kishore Mahbubani (Singapore)
Vice-Chairmen: Ireland and Mauritius

"2. The Bureau of the above-mentioned Sanctions Committee will be composed as above for a term ending on 31 December 2001."

On 6 June 2001, the President of the Security Council issued the following note:[479]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[475] and following consultations among the members of the Council, the members of the Council agreed to elect the Chairman and Vice-Chairmen of the following Sanctions Committee for a period running until 31 December 2001:

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Mr. Noureddine Mejdoub (Tunisia)
Vice-Chairmen: Jamaica and Norway

"2. The Bureau of the above-mentioned Sanctions Committee will be composed as above for a term ending on 31 December 2001."

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[476] S/2001/135.

[477] S/PRST/2001/3.

[478] S/2001/215.

[479] S/2001/564.

On 29 June 2001, the President of the Security Council issued the following note:[480]

"1. The members of the Security Council, recognizing the importance of timely, full and effective dissemination of its resolutions and presidential statements, as well as statements to the press by its President on behalf of its members to the international community, in particular their communication to those concerned, have indicated their agreement to the continuation and strengthening of the current practice as follows:

"(*a*) The President of the Security Council should, when so requested by the Council members, and without prejudice to his/her responsibilities as President, draw the attention of the Representative(s) of the Member State(s) as well as regional organizations and arrangements concerned to relevant statements to the press made by the President on behalf of Council members or decisions of the Council;

"(*b*) The Secretariat should also continue to bring to the knowledge of those concerned, including non-State actors, through the relevant Special Representatives, Representatives and Envoys of the Secretary-General and United Nations Resident Coordinators, resolutions and presidential statements of the Security Council as well as statements to the press made by the President of the Council on behalf of the Council members and ensure their promptest communication and widest possible dissemination;

"(*c*) The Secretariat should issue, as United Nations press releases, all statements to the press made by the President of the Security Council on behalf of Council members, upon clearance by the President.

"2. The members of the Council will continue their consideration of other suggestions concerning the documentation of the Council and related matters."

On 4 October 2001, the President of the Security Council issued the following note:[481]

"*Security Council Committee established pursuant to resolution 1373 (2001) – Threats to International Peace and Security Caused by Terrorist Acts*

"1. Pursuant to resolution 1373 (2001) of 28 September 2001 and following consultations among the members of the Council, it was agreed to elect the Chairperson and Vice-Chairpersons of the Committee established by paragraph 6 of resolution 1373 (2001):

Chairman: Sir Jeremy Greenstock (United Kingdom of Great Britain and Northern Ireland)
Vice-Chairmen: Mr. Alfonso Valdivieso (Colombia)
Mr. Jagdish Koonjul (Mauritius)
Mr. Sergey Lavrov (Russian Federation)

"2. Pursuant to paragraph 7 of resolution 1373 (2001), the Committee will submit a work programme by 28 October 2001, and consider the support it requires, in consultation with the Secretary-General.

"3. Members of the Council will undertake a review of the structure and activities of the Committee not later than 4 April 2002."

On 29 November 2001, the President of the Security Council issued the following note:[482]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[475] and following consultations among the members of the Council, the members of the Council agreed to elect the Chairman and Vice-Chairmen of the following Sanctions Committee for a period running until 31 December 2001:

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[480] S/2001/640.

[481] S/2001/935.

[482] S/2001/1130.

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Mr. Iftekhar Ahmed Chowdhury (Bangladesh)
Vice-Chairmen: Mali and Singapore

"2. The Bureau of the above-mentioned Sanctions Committee will be composed as above for a term ending on 31 December 2001."

On 4 January 2002, the President of the Security Council issued the following note:[483]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[475] and following consultations among the members of the Council, the members of the Council agreed to elect the Chairpersons and Vice-Chairpersons of the following Sanctions Committees for a period running until 31 December 2002:

Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait

Chairman: Mr. Ole Peter Kolby (Norway)
Vice-Chairmen: Bulgaria and Mauritius

Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya

Chairman: Mr. François Lonsény Fall (Guinea)
Vice-Chairmen: Bulgaria and Ireland

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Mr. Stefan Tafrov (Bulgaria)
Vice-Chairmen: Mexico and Norway

Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

Chairman: Mr. Richard Ryan (Ireland)
Vice-Chairmen: Cameroon and Colombia

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: Mr. Mikhail Wehbe (Syrian Arab Republic)
Vice-Chairmen: Guinea and Ireland

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Mr. Jorge Eduardo Navarrete (Mexico)
Vice-Chairmen: Cameroon and Singapore

Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan

Chairman: Mr. Alfonso Valdivieso (Colombia)
Vice-Chairmen: Guinea and Singapore

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[483] S/2002/21.

Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia

Chairman: Mr. Kishore Mahbubani (Singapore)
Vice-Chairmen: Mauritius and Syrian Arab Republic

"2. The Bureau of each of the above-mentioned Sanctions Committees will be composed as above for a term ending on 31 December 2002."

On 4 January 2002, the President of the Security Council issued the following note:[484]

"Following consultations among the members of the Security Council, it has been agreed that Mr. Wegger Christian Strømmen, Deputy Permanent Representative of Norway to the United Nations, will serve as Chairman of the Working Group of the Security Council on United Nations Peacekeeping Operations established pursuant to the eleventh and twelfth paragraphs of the statement made by the President of the Security Council at the 4270th meeting of the Council, held on 31 January 2001,[477] for a period running until 31 December 2002."

On 14 January 2002, the President of the Security Council issued the following note:[485]

"1. The members of the Security Council, recalling the statement by the President of the Security Council on 31 January 2001[477] and relevant Council resolutions about peacekeeping, having considered the views expressed, including in the letters of a number of troop-contributing countries dated 30 May[486] and 22 June 2001,[487] and recognizing the desirability of forging a more effective partnership with troop-contributing countries, including by establishing a new mechanism for cooperation pursuant to section D, paragraph 1, of annex I to Council resolution 1353 (2001) of 13 June 2001, in addition to the current forms of consultation between the Council, the troop-contributing countries and the Secretariat, have given their agreement to the principle of convening joint meetings of the Working Group of the Security Council on United Nations Peacekeeping Operations and troop-contributing countries as an additional mechanism for strengthening cooperation with troop-contributing countries on specific peacekeeping operations.

"2. The purpose of the joint meetings of the Working Group and troop-contributing countries is to enable the members of the Security Council, relevant troop-contributing countries and the Secretariat to engage in a closer and more interactive dialogue over issues pertaining to peacekeeping operations as outlined in paragraphs 2 and 4 of section B of annex II to resolution 1353 (2001) so as to complement effectively the ongoing process of consultation meetings pursuant to the above-mentioned resolution. At the joint meetings, specific aspects of peacekeeping operations will be discussed in order to facilitate the work of the Council and the Secretariat by taking into account the views of the troop-contributing countries in relation to a corresponding peacekeeping operation.

"3. The joint meetings of the Working Group and troop-contributing countries will be composed of the members of the Security Council and relevant troop-contributing countries as identified by the Secretariat, in consultations with the Chairman of the Working Group of the Security Council on United Nations Peacekeeping Operations, in particular those contributing at least one formed military unit or a comparable number of civilian police, as well as representatives of the Secretariat. In specific circumstances, when the agenda of those meetings exceeds the limits of the strict interest of the troop-contributing countries on the ground, the Working Group may invite other significant actors to attend the joint meetings when the Working Group deems their participation to bring added value to the discussion at hand. The Secretariat is encouraged to provide military, political, humanitarian and other briefings and advice as appropriate.

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[484] S/2002/22.

[485] S/2002/56.

[486] S/2001/535.

[487] S/2001/626.

"4. The Chairman of the Working Group, bearing in mind that the workload of the Security Council should not become unduly burdensome, in consultation with members of the Working Group, relevant troop-contributing countries and the Secretariat, will be responsible for convening the joint meetings of the Working Group and troop-contributing countries. Depending on the situation in specific peacekeeping operations, meetings will be held as often as necessary and practicable. In the case of new peacekeeping missions, joint meetings may be convened at an early stage in order to consult prospective troop-contributing countries during the mission planning process.

"5. The joint meetings of the Working Group and troop-contributing countries will be chaired by the Chairman of the Working Group or an alternate Security Council member. The Chairman will invite members of the Working Group and the troop-contributing countries to participate, indicating the level he or she deems appropriate for specific meetings. As a general rule, the venue and time of such meetings will be published in the *Journal of the United Nations*. The procedures adopted for the joint meetings should be kept as flexible as possible to allow for interactive discussion by the participants.

"6. The Chairman of the Working Group will be responsible for reporting to the Security Council on the joint meetings. Such communication can take various forms, including oral briefings. The Secretariat will be requested to provide the necessary assistance in this regard and in other relevant areas.

"7. The Council continues to commit itself to the implementation of resolution 1353 (2001). The existing formats of meetings with troop-contributing countries should be continued and improved according to the provisions contained in that resolution. Such meetings and the joint meetings of the Working Group and troop-contributing countries should be mutually complementary.

"8. The new cooperation mechanism of the joint meetings of the Working Group and troop-contributing countries should not prejudice the responsibilities of the Council and its members as set out in the Charter of the United Nations and should not interfere in the operational responsibilities of the Secretariat for peacekeeping operations."

On 15 January 2002, the President of the Security Council issued the following note:[488]

"Following consultations among the members of the Security Council, it has been agreed that Mr. Martin Belinga-Eboutou, Permanent Representative of Cameroon to the United Nations, will serve as Chairman of the informal working group of the Security Council established pursuant to paragraph 3 of the note by the President of the Security Council dated 17 April 2000,[489] until 31 December 2003. The task of the working group is to develop general recommendations on how to improve the effectiveness of United Nations sanctions."

On 28 January 2002, the President of the Security Council issued the following note:[490]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[475] and following consultations among the members of the Council, the members of the Council agreed to elect the Chairman and Vice-Chairmen of the following Sanctions Committee for a period running until 31 December 2002:

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[488] S/2002/70.

[489] S/2000/319.

[490] S/2002/124.

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Mr. Adolfo Aguilar Zinser (Mexico)
Vice-Chairmen: Cameroon and Singapore

"2. The Bureau of the above-mentioned Sanctions Committee will be composed as above for a term ending on 31 December 2002."

On 1 March 2002, the President of the Security Council issued the following note:[491]

"Terms of Reference for the ad hoc Working Group on Conflict Prevention and Resolution in Africa

"I. Composition

"The Working Group should consist of one representative from each member of the Security Council. It should be entirely informal in nature.

"II. Chairmanship

"The Chairman of the Working Group will be designated by members of the Security Council for a period of one year. The Chairman of the Group will be Mr. Jagdish Koonjul, Permanent Representative of Mauritius to the United Nations.

"III. Mandate

"(i) To monitor the implementation of recommendations contained in the presidential statement S/PRST/2002/2 and previous presidential statements and resolutions regarding conflict prevention and resolution in Africa.

"(ii) To propose recommendations on the enhancement of cooperation between the Security Council and the Economic and Social Council as well as with other United Nations agencies dealing with Africa.

"(iii) To examine, in particular, regional and cross-conflict issues that affect the Security Council's work on African conflict prevention and resolution.

"(iv) To propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution, between the United Nations and regional and subregional organizations.

"IV. Methods of work

"(i) The Working Group will hold informal meetings.

"(ii) Decisions will be taken by consensus.

"(iii) The Chairman of the Working Group will report to the Security Council whenever appropriate.

"(iv) The Security Council will conduct a review of the progress of the work of the Working Group against its mandate not later than six months from its establishment.

"V. Duration

"In the light of the review in paragraph IV, (iv) above, the Security Council will decide on the mandate of the Working Group."

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[491] S/2002/207

On 26 March 2002, the President of the Security Council issued the following note:[492]

"1. With a view to improving clarity and transparency, and to facilitate understanding by the press regarding the work of the Security Council, the following concrete elements are agreed:

- Reports by the Secretary-General will specify the date on which the document is physically and electronically distributed in addition to the date of signature by the Secretary-General. The Secretariat is encouraged, to the extent possible, to distribute its reports in all official languages on the date originally established for publication.
- The President of the Security Council will in public meetings introduce agenda items by specifying the agenda item/issue for consideration, unless otherwise agreed in the Council's prior consultations, and refer to all speakers at the political and ambassadorial level by name and title. These names will, however, not have to be included in the official records or in advance in the briefing notes prepared by the Secretariat for the Presidency.

"2. It is further agreed that briefings by the Secretariat in the Security Council consultation room should, as a general rule, include a printed fact sheet, which, whenever possible, should also be circulated to the members of the Council on the day prior to the consultations."

On 29 May 2002, the President of the Security Council issued the following note:[493]

> "With a view to ensuring uniformity in the application of the established practice of the Security Council with regard to seating arrangements for non-members of the Council invited to speak at its meetings, the members of the Council have agreed that:
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> - When non-members of the Security Council are invited to speak at its meetings, they will be seated at the Council table on alternate sides of the President, with the first speaker seated on the President's right."

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

[*Resolutions or decisions on this question were also adopted by the Security Council in 1996, 1998, 1999 and 2000.*]

Decisions

On 16 January 2001, the President of the Security Council addressed the following letter to the Secretary-General:[494]

"I have the honour to inform you that your letter dated 11 January 2001 concerning the composition of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the

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[492] S/2002/316.

[493] S/2002/591.

[494] S/2001/48.

Former Yugoslavia since 1991[495] has been brought to the attention of the members of the Security Council. Having consulted those members, I support your intention to appoint Mr. Mohamed El Habib Fassi Fihri as a Judge of the Chambers of the International Tribunal."

At its 4260th meeting, on 19 January 2001, the Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

> "Letter dated 11 January 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/61)".

Following the decision taken at the 4260th meeting, the President of the Security Council addressed the following letter to the Secretary-General:[496]

> "I have the honour to inform you that your letter dated 11 January 2001, by which you forwarded to the Security Council the twenty-four nominations for Permanent Judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 received from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters within the period specified in paragraph 1 (*b*) of article 13 bis of the statute of the Tribunal,[497] has been brought to the attention of the Council.
>
> "The Council noted the information contained therein and decided to extend the deadline for the nomination of permanent judges for the Tribunal until 31 January 2001.
>
> "I should be grateful if you would inform States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters accordingly."

At its 4274th meeting, on 8 February 2001, the Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

> "Establishment of the list of candidates for Permanent Judges".

Resolution 1340 (2001)
of 8 February 2001

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993, 1166 (1998) of 13 May 1998 and 1329 (2000) of 30 November 2000,

Having decided to consider the nominations for permanent judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 received by the Secretary-General by 31 January 2001,

Forwards the following nominations to the General Assembly in accordance with article 13 bis (1) (*d*) of the statute of the International Tribunal: Mr. Carmel A. AGIUS (Malta),

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[495] S/2001/47.

[496] S/2001/63.

[497] S/2001/61.

Mr. Richard Allen BANDA (Malawi), Mr. Mohamed Amin El Abbassi ELMAHDI (Egypt), Mr. Mohamed El Habib FASSI FIHRI (Morocco), Mr. David HUNT (Australia), Mr. Claude JORDA (France), Mr. Ogon KWON (Republic of Korea), Mr. LIU Daqun (China), Mr. Abderraouf MAHBOULI (Tunisia), Mr. Richard George MAY (United Kingdom of Great Britain and Northern Ireland), Mr. Theodor MERON (United States of America), Mrs. Florence Ndepele Mwachande MUMBA (Zambia), Mr. Rafael NIETO NAVIA (Colombia), Mr. Leopold NTAHOMPAGAZE (Burundi), Mr. Alphonsus Martinus Maria ORIE (Netherlands), Mr. Fausto POCAR (Italy), Mr. Jonah RAHETLAH (Madagascar), Mr. Patrick Lipton ROBINSON (Jamaica), Mr. Almiro Simões RODRIGUES (Portugal), Ms. Miriam Defensor SANTIAGO (Philippines), Mr. Wolfgang SCHOMBURG (Germany), Mr. Mohamed SHAHABUDDEEN (Guyana), Mr. Demetrakis STYLIANIDES (Cyprus), Mr. Krister THELIN (Sweden), Mr. Volodymyr VASSYLENKO (Ukraine), Mr. Karam Chand VOHRAH (Malaysia).

Adopted unanimously at the 4274th meeting.

Decision

At its 4316th meeting, on 27 April 2001, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"Establishment of the list of candidates for ad litem judges".

Resolution 1350 (2001)
of 27 April 2001

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993, 1166 (1998) of 13 May 1998 and 1329 (2000) of 30 November 2000,

Having decided to consider the nominations for ad litem judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 received by the Secretary-General,

Forwards the following nominations to the General Assembly in accordance with article 13 ter (1) (*d*) of the statute of the International Tribunal: Mr. Aydin Sefa AKAY (Turkey), Ms. Carmen Maria ARGIBAY (Argentina), Ms. Lucy ASUAGBOR (Cameroon), Mr. Jeremy BADGERY-PARKER (Australia), Mr. Chifumu Kingdom BANDA (Zambia), Mr. Giancarlo Roberto BELLELLI (Italy), Mr. Pierre G. BOUTET (Canada), Mr. Hans Henrik BRYDENSHOLT (Denmark), Mr. Guibril CAMARA (Senegal), Mr. Joaquin Martin CANIVELL (Spain), Mr. Romeo T. CAPULONG (Philippines), Mr. Oscar CEVILLE (Panama), Mr. Isaac Chibulu Tantameni CHALI (Zambia), Mr. Arthur CHASKALSON (South Africa), Ms. Maureen Harding CLARK (Ireland), Ms. Fatoumata DIARRA (Mali), Mr. Çenk Alp DURAK (Turkey), Mr. Moise EBONGUE (Cameroon), Mr. Mathias EPULI (Cameroon), Mr. Albin ESER (Germany), Mr. Mohamed El Habib FASSI FIHRI (Morocco), Mr. John Foster GALLOP (Australia), Mr. Joseph Nassif GHAMROUN (Lebanon), Mr. Michael GROTZ (Germany), Mr. Abdallah Mahamane HAIDARA (Mali), Mr. Claude HANOTEAU (France), Mr. Hassan Bubacarr JALLOW (Gambia), Ms. Ivana JANU (Czech Republic), Mr. Aykut KILIÇ (Turkey), Ms. Flavia LATTANZI (Italy), Mr. Per-Johan Viktor LINDHOLM (Finland), Mr. Augustin Pedro LOBEJÓN (Spain), Mr. Didié Issa MAIGA (Mali), Ms. Irene Chirwa MAMBILIMA (Zambia), Mr. Dick F. MARTY (Switzerland), Ms. Jane Hamilton MATHEWS (Australia), Ms. Suzanne MENGUE ZOMO (Cameroon), Mr. Ghulam Mujaddid MIRZA (Pakistan), Mr. Ahmad Aref MOALLEM (Lebanon), Mr. Mphanza Patrick MVUNGA (Zambia), Mr. Rafael NIETO NAVIA (Colombia), Mr. Léopold NTAHOMPAGAZE (Burundi), Mr. André NTAHOMVUKIYE (Burundi), Mr. Cesar PEREIRA BURGOS (Panama), Mr. Mauro POLITI (Italy), Ms. Vonimbolana RASOAZANANY (Madagascar), Mr. Ralph RIACHY (Lebanon), Mr. Ingo RISCH

(Germany), Mr. Robert ROTH (Switzerland), Mr. Zacharie RWAMAZA (Burundi), Mr. Sourahata Babouccar SEMEGA-JANNEH (Gambia), Mr. Tom Farquhar SHEPHERDSON (Australia), Mr. Amarjeet SINGH (Singapore), Ms. Ayla SONGÖR (Turkey), Mr. Albertus Henricus Joannes SWART (Netherlands), Mr. György SZÉNÁSI (Hungary), Mr. Ahmad TAKKIEDDINE (Lebanon), Ms. Chikako TAYA (Japan), Mr. Krister THELIN (Sweden), Mr. Stefan TRECHSEL (Switzerland), Ms. Christine Van Den WYNGAERT (Belgium), Mr. Volodymyr VASSYLENKO (Ukraine), Mr. Lal Chand VOHRAH (Malaysia), Ms. Sharon A. WILLIAMS (Canada).

Adopted unanimously at the 4316th meeting.

Decisions

At its 4581st meeting, held in private on 23 July 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4581st meeting, held in private on 23 July 2002, the Security Council considered the item entitled 'International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991'.
>
> "In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, the President extended invitations under rule 39 of the provisional rules of procedure of the Council to Judge Claude Jorda, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, and to Ms. Carla del Ponte, Prosecutor for the International Tribunal for the Former Yugoslavia.
>
> "The members of the Council heard an informative briefing by Judge Jorda.
>
> "Ms. del Ponte made comments.
>
> "The members of the Council, Judge Jorda, and Ms. del Ponte had a constructive discussion."

At its 4582nd meeting, on 23 July 2002, the Council considered the item entitled "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[498]

> "The Security Council welcomes the report on the judicial status of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the prospects for referring certain cases to national courts[499] submitted by the President of the Tribunal on 10 June 2002.
>
> "The Council recognizes, as it has done on other occasions, for example in its resolution 1329 (2000) of 30 November 2000, that the International Tribunal should concentrate its work on the prosecution and trial of the civilian, military and paramilitary leaders suspected of being responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991, rather than on minor actors.

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[498] S/PRST/2002/21.

[499] See S/2002/678.

"The Council therefore endorses the broad strategy of the report for the transfer of cases involving intermediary and lower-level accused to competent national jurisdictions as likely to be in practice the best way of allowing the International Tribunal to achieve its current objective of completing all trial activities at first instance by 2008. The Council invites States and relevant international and regional organizations to contribute as appropriate to the strengthening of national judicial systems of the States of the former Yugoslavia in order to facilitate the implementation of this policy.

"The Council takes note of the recommendations of the International Tribunal with regard to the creation, as proposed by the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, of a specific Chamber, within the State Court of Bosnia and Herzegovina, to deal with serious violations of international humanitarian law. The Council is ready to look constructively and positively at this matter when more details of the proposed arrangements are available. The Council also takes note of the intention of the International Tribunal to amend its Rules of Procedure and Evidence in order to facilitate the referral of cases to competent national jurisdictions.

"The Council will remain seized of this matter."

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998 and 1999.*]

Decision

At its 4307th meeting, on 30 March 2001, the Security Council considered the item entitled:

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

> "Establishment of the list of candidates for Judges on the International Tribunal for Rwanda".

Resolution 1347 (2001)
of 30 March 2001

The Security Council,

Recalling its resolutions 955 (1994) of 8 November 1994, 1165 (1998) of 30 April 1998 and 1329 (2000) of 30 November 2000,

Having considered the nominations for judges of the International Tribunal for Rwanda received by the Secretary-General,

Forwards the following nominations to the General Assembly in accordance with article 12, paragraph 2 (*d*), of the Statute of the International Tribunal: Mr. Mouinou AMINOU (Benin), Mr. Frederick Mwela CHOMBA (Zambia), Mr. Winston Churchill Matanzima MAQUTU (Lesotho), Mr. Harris Michael MTEGHA (Malawi), Ms. Arlette RAMAROSON (Madagascar)

Adopted unanimously at the 4307th meeting

Decision

On 30 May 2001, the President of the Security Council addressed the following letter to the Secretary-General:[500]

> "I have the honour to inform you that your letter dated 23 May 2001 concerning the composition of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[501] has been brought to the attention of the members of the Security Council. Having consulted those members, I support your intention to appoint Ms. Andrésia Vaz as a Judge of the Chambers of the International Tribunal."

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

[*Resolutions or decisions on this question were also adopted by the Security Council in 1999 and 2000.*]

Decisions

At its 4429th meeting, on 27 November 2001, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Rwanda and the Federal Republic of Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994".

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[500] S/2001/551.

[501] S/2001/550.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Judge Claude Jorda, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Navanethem Pillay, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, and Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

At its 4535th meeting, on 17 May 2002, the Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994".

Resolution 1411 (2002)
of 17 May 2002

The Security Council,

Reaffirming its resolutions 827 (1993) of 25 May 1993, 955 (1994) of 8 November 1994, 1165 (1998) of 30 April 1998, 1166 (1998) of 13 May 1998 and 1329 (2000) of 30 November 2000,

Recognizing that persons who are nominated for, or who are elected or appointed as, judges of the International Tribunal for the Former Yugoslavia or of the International Tribunal for Rwanda may bear the nationalities of two or more States,

Being aware that at least one such person has already been elected a judge of one of the International Tribunals,

Considering that, for the purposes of membership of the Chambers of the International Tribunals, such persons should be regarded as bearing solely the nationality of the State in which they ordinarily exercise civil and political rights,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to amend article 12 of the statute of the International Tribunal for the Former Yugoslavia and to replace that article with the provisions set out in annex I to the present resolution;

2. *Decides also* to amend article 11 of the statute of the International Tribunal for Rwanda and to replace that article with the provisions set out in annex II to the present resolution;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4535th meeting.

Annex I

Amendment to the statute of the International Tribunal for the Former Yugoslavia

Replace article 12 by the following:

Article 12
Composition of the Chambers

1. The Chambers shall be composed of sixteen permanent independent judges, no two of whom may be nationals of the same State, and a maximum at any one time of nine ad litem independent judges appointed in accordance with article 13 ter, paragraph 2, of the Statute, no two of whom may be nationals of the same State.

2. Three permanent judges and a maximum at any one time of six ad litem judges shall be members of each Trial Chamber. Each Trial Chamber to which ad litem judges are assigned may be divided into sections of three judges each, composed of both permanent and ad litem judges. A section of a Trial Chamber shall have the same powers and responsibilities as a Trial Chamber under the Statute and shall render judgement in accordance with the same rules.

3. Seven of the permanent judges shall be members of the Appeals Chamber. The Appeals Chamber shall, for each appeal, be composed of five of its members.

4. A person who for the purposes of membership of the Chambers of the International Tribunal could be regarded as a national of more than one State shall be deemed to be a national of the State in which that person ordinarily exercises civil and political rights.

Annex II

Amendment to the statute of the International Tribunal for Rwanda

Replace article 11 by the following:

Article 11
Composition of the Chambers

1. The Chambers shall be composed of sixteen independent judges, no two of whom may be nationals of the same State, who shall serve as follows:

(*a*) Three judges shall serve in each of the Trial Chambers;

(*b*) Seven judges shall be members of the Appeals Chamber. The Appeals Chamber shall, for each appeal, be composed of five of its members.

2. A person who for the purposes of membership of the Chambers of the International Tribunal for Rwanda could be regarded as a national of more than one State shall be deemed to be a national of the State in which that person ordinarily exercises civil and political rights.

RECOMMENDATION FOR THE APPOINTMENT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS

Decision

At its 4337th meeting, held in private on 27 June 2001, the Security Council considered the question of the recommendation for the appointment of the Secretary-General of the United Nations.

Resolution 1358 (2001)
of 27 June 2001

The Security Council,

Having considered the question of the recommendation for the appointment of the Secretary-General of the United Nations,

Recommends to the General Assembly that Mr. Kofi Annan be appointed Secretary-General of the United Nations for a second term of office from 1 January 2002 to 31 December 2006.

Adopted by acclamation at the 4337th (closed) meeting

ITEMS RELATING TO WRAP-UP DISCUSSIONS ON THE WORK OF THE SECURITY COUNCIL

Decisions

At its 4343rd meeting, on 29 June 2001, the Security Council included in its agenda the item entitled "Wrap-up discussion on the work of the Security Council for the month of June 2001".

At its 4363rd meeting, on 31 August 2001, the Council considered the item entitled:

"Wrap-up discussion on the work of the Security Council for the current month

> "Letter dated 27 August 2001 from the Permanent Representative of Colombia to the United Nations addressed to the President of the Security Council (S/2001/822)".

At its 4432nd meeting, on 30 November 2001, the Council considered the item entitled:

"Wrap-up discussion on the work of the Security Council for the current month

> "Letter dated 7 November 2001 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the Security Council (S/2001/1055)".

At its 4445th meeting, on 21 December 2001, the Council considered the item entitled "Wrap-up discussion on the work of the Security Council for the current month".

At its 4466th meeting, on 31 January 2002, the Security Council considered the item discussed at the 4445th meeting.

At its 4482nd meeting, held in private on 28 February 2002, the Council authorized its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4482nd meeting, held in private on 28 February 2002, the Council considered the item entitled 'Wrap-up discussion on the work of the Security Council for the current month'.
>
> "The President, with the consent of the Council, invited the representatives of Angola, Argentina, Burundi, Chile, Cuba, Democratic Republic of the Congo, Japan, Nepal, Spain, the Former Yugoslav Republic of Macedonia, Turkey and Ukraine to participate in the discussion of the item without the right to vote in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council and representatives invited under rule 37 of the provisional rules of procedure of the Council had a constructive discussion."

At its 4547th meeting, held in private on 31 May 2002, the Council authorized its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4547th meeting, held in private on 31 May 2002, the Security Council considered the item entitled 'Wrap-up discussion on the work of the Security Council for the current month'.

"The President, with the consent of the Council, invited the representatives of Angola, Australia, Bahrain, Bangladesh, Brazil, Cuba, Egypt, Indonesia, Jamaica, Japan, Pakistan, the Republic of Korea, Sierra Leone, Spain, Thailand, Tunisia and the United Republic of Tanzania to participate in the discussion of the item without the right to vote in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The President drew attention to a letter dated 28 May 2002 from the Permanent Observer of Palestine to the United Nations,[502] requesting an invitation to participate in the meeting in accordance with the previous practice of the Council. In accordance with the rules of procedure and the previous practice in this regard, the President, with the consent of the Council, invited the Permanent Observer of Palestine to participate in the discussion.

"The members of the Council, the representatives invited under rule 37 of the provisional rules of procedure of the Council and the Permanent Observer of Palestine had a constructive discussion."

At its 4562nd meeting, held in private on 28 June 2002, the Council authorized its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4562nd meeting, held in private on 28 June 2002., the Security Council considered the item entitled 'Wrap-up discussion on the work of the Security Council for the current month'.

"The President, with the consent of the Council, invited the representatives of Bahrain, Egypt, Spain and Ukraine to participate in the discussion of the item without the right to vote in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The members of the Council and the representatives invited under rule 37 of the provisional rules of procedure of the Council had a constructive discussion."

THE INTERNATIONAL COURT OF JUSTICE

[*Resolutions or decisions on this question were also adopted by the Security Council in 1946, 1948, 1949, 1951, 1953, 1954, 1956 to 1960, 1963, 1965, 1966, 1969, 1972, 1975, 1978, 1980 to 1982, 1984, 1985, 1987, 1989 to 1991, 1993 to 1996, 1999 and 2000.*]

A. Date of election to fill a vacancy in the International Court of Justice

Decision

At its 4345th meeting, on 5 July 2001, the Security Council proceeded with its consideration of the item entitled "Date of election to fill a vacancy in the International Court of Justice".

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[502] S/2002/602.

Resolution 1361 (2001)
of 5 July 2001

The Security Council,

Noting with regret the resignation of Judge Mohammed Bedjaoui, taking effect on 30 September 2001,

Noting that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Mohammed Bedjaoui will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting also that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 12 October 2001 at a meeting of the Security Council and at a meeting of the General Assembly at its fifty-sixth session.

Adopted without a vote at the 4345th meeting.

B. Election of a member of the International Court of Justice (S/2001/881, S/2001/882/Add.1 and S/2001/883/Corr.2)

Decision

On 12 October 2001, the Security Council, at its 4389th meeting, and the General Assembly, at the 24th plenary meeting of its fifty-sixth session, elected Mr. Nabil Elaraby, of Egypt, to the International Court of Justice to fill a vacancy created by the resignation of Judge Mohammed Bedjaoui.

ANNUAL REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

A. Consideration of the draft report of the Security Council to the General Assembly

Decision

At its 4375th meeting, on 18 September 2001, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly."

The decision of the Council was reflected in the following note by the President:[503]

> "At its 4375th meeting, held on 18 September 2001, the Security Council considered its draft report to the General Assembly covering the period from 16 June 2000 to 15 June 2001. The Council adopted the draft report without a vote."

B. Format of the annual report of the Security Council to the General Assembly

Decision

On 22 May 2002, the President of the Security Council issued the following note:[504]

"1. The members of the Security Council, having taken into account the views expressed during the debate on agenda item 11, entitled 'Report of the Security Council', at the fifty-sixth session of the General Assembly, have reviewed the format of the annual report of the Council to the Assembly, which is submitted by the Council in accordance with Article 24, paragraph 3, of the Charter of the United Nations. Further to the notes by the President of the Security Council dated 20 December 1974,[505] 29 January 1985,[506] 30 June 1993,[507] 29 March 1995,[508] 12 June 1997[509] and 30 October 1998[475] concerning the documentation of the Council and other procedural questions, the President of the Council wishes to state that all members of the Council have indicated their agreement with the following.

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[503] S/2001/876.

[504] S/2002/199.

"2. The Security Council will take the necessary action to ensure the timely submission of its report to the General Assembly. For that purpose:

"(*a*) The Council will continue with the existing practice whereby the annual report is submitted to the General Assembly in a single volume. However, the report to be submitted to the Assembly at its fifty-seventh session will cover the period from 16 June 2001 to 31 July 2002. Thereafter, the period of coverage for all future reports shall be from 1 August of one year to 31 July of the next;

"(*b*) The Secretariat should continue to submit the draft report to the members of the Council no later than 31 August, immediately following the period covered by the report, so that it may be discussed and thereafter adopted by the Council in time for consideration by the Assembly during the main part of the regular session of the Assembly.

"3. The report shall contain the following parts, as described below:

"(*a*) An introduction;

"(*b*) Part I shall contain a brief statistical description of the key activities of the Security Council in relation to all subjects dealt with by the Council during the period covered by the report, including a list of each of the following with symbol, as appropriate:

"(i) All decisions, resolutions, presidential statements and assessment reports issued by the individual monthly Presidencies of the Council on its work, annual reports of all sanctions committees and other documents issued by the Council;

"(ii) Meetings of the Council, including of key committees such as the Counter-Terrorism Committee, sanctions committees, working groups and meetings with troop-contributing countries;

"(iii) Panels and monitoring mechanisms and their relevant reports;

"(iv) Security Council missions undertaken and their reports;

"(v) Peacekeeping operations functioning, established or terminated;

"(vi) Reports of the Secretary-General prepared for the Council;

"(vii) All communications received;

"(viii) Citations to relevant United Nations documents relating to financial expenditures in connection with Council activities during the period covered by the report, if available;

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[505] S/11586.

[506] S/16913.

[507] S/26015.

[508] S/1995/234.

[509] S/1997/451.

"(ix) References to the summary statements by the Secretary-General on matters of which the Security Council was seized during the period covered by the report;

"(x) Notes by the President of the Security Council and other documents issued by the Council for the further improvement of the Council's work;

"(*c*) Pursuant to paragraph 3 (*b*) (i) above, the Secretariat will take the necessary steps to ensure the timely issuance by the month of September each year, of the publication *Resolutions and Decisions of the Security Council* under the symbol S/INF/ [year of the General Assembly], containing the full text of all decisions, resolutions and presidential statements of the Council for the period covered by the report;

"(*d*) Part II shall contain, in relation to each subject dealt with by the Council during the period covered by the report:

"(i) Factual data of the number of meetings and informal consultations;

"(ii) A list of the decisions, resolutions, presidential statements and all documents issued by the Council;

"(iii) A list of the relevant panels, monitoring mechanisms and their reports, as appropriate;

"(iv) A list of the Security Council missions undertaken and their reports, as appropriate;

"(v) A list of the peacekeeping operations functioning, established or terminated, as appropriate;

"(vi) A list of the reports of the Secretary-General prepared for the Council.

"4. The report shall continue to include an account of the other matters considered by the Council, the work of the Military Staff Committee and of the subsidiary bodies of the Council. The report shall also continue to include matters that were brought to the attention of the Council but not discussed during the period covered by the report.

"5. In addition, the Secretariat should post the current annual report of the Council on the United Nations web site. The relevant web page should be updated to provide the information as necessitated under future notes issued by the President of the Security Council with respect to the annual report.

"6. In accordance with the decision taken in June 1993,[507] the report will continue to be adopted at a public meeting of the Council where members of the Council who wish to do so could comment on the work of the Council for the period covered by the report. The President of the Council for the month in which the report is submitted to the General Assembly will also make reference to the verbatim record of the Council's discussion prior to its adoption of the annual report.

"7. The members of the Council will continue their consideration of other suggestions concerning the documentation of the Council and related matters."

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

[*Resolutions or decisions on this question were also adopted by the Security Council from 1946 to 1950, 1952, 1955 to 1958, 1960 to 1968, 1970 to 1981, 1983, 1984, 1990 to 1994, 1999 and 2000.*]

A. Application of the Democratic Republic of East Timor

Decisions

At its 4540th meeting, on 22 May 2002, the Security Council, following the adoption of its agenda, decided to refer the application of the Democratic Republic of East Timor for membership in the United Nations[510] to the Committee on the Admission of New Members for examination and report, as provided for in rule 59 of the provisional rules of procedure of the Council.

At its 4542nd meeting, on 23 May 2002, the Council discussed the report of the Committee on the Admission of New Members concerning the application of the Democratic Republic of East Timor to membership in the United Nations.[511]

Resolution 1414 (2002)
of 23 May 2002

The Security Council,

Having examined the application of the Democratic Republic of East Timor for admission to the United Nations,[510]

Recommends to the General Assembly that the Democratic Republic of East Timor be admitted to membership in the United Nations.

Adopted without a vote at the 4542nd meeting.

Decision

At the 4542nd meeting also, following the adoption of resolution 1414 (2002), the President of the Security Council made the following statement on behalf of the members of the Council:[512]

> "The Security Council has decided to recommend to the General Assembly that the Democratic Republic of East Timor be admitted as a Member of the United Nations. On behalf of the members of the Security Council, I wish to extend my congratulations to the Democratic Republic of East Timor on this historic occasion.
>
> "The Council notes with great satisfaction the solemn commitment of the Democratic Republic of East Timor to uphold the purposes and principles of the Charter of the United Nations and to fulfil all the obligations contained therein.
>
> "We look forward to the day in the near future when the Democratic Republic of East Timor will join us as a Member of the United Nations and to working closely with its representatives."

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[510] S/2002/558.

[511] S/2002/566.

[512] S/PRST/2002/15.

B. Application of the Swiss Confederation

Decisions

At its 4584th meeting, on 24 July 2002, the Security Council, following the adoption of its agenda, decided to refer the application of the Swiss Confederation for membership in the United Nations[513] to the Committee on the Admission of New Members for examination and report, as provided for in rule 59 of the provisional rules of procedure of the Council.

At its 4585th meeting, on 24 July 2002, the Council discussed the report of the Committee on the Admission of New Members concerning the application of the Swiss Confederation to membership in the United Nations.[514]

Resolution 1426 (2002)
of 24 July 2002

The Security Council,

Having examined the application of the Swiss Confederation for admission to the United Nations,[513]

Recommends to the General Assembly that the Swiss Confederation be admitted to membership in the United Nations.

Adopted without a vote at the 4585th meeting.

Decision

At the 4585th meeting also, following the adoption of resolution 1426 (2002), the President of the Security Council made the following statement on behalf of the members of the Council:[515]

> "The Security Council has decided to recommend to the General Assembly that the Swiss Confederation be admitted as a Member of the United Nations. On behalf of the members of the Security Council, I wish to extend my congratulations to the Swiss Confederation on this historic occasion.
>
> "The Council notes with great satisfaction the solemn commitment of the Swiss Confederation to uphold the purposes and principles of the Charter of the United Nations and to fulfil all the obligations contained therein.
>
> "We look forward to the day in the near future when the Swiss Confederation will join us as a Member of the United Nations and to working closely with its representatives."

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[513] S/2002/801.

[514] S/2002/825.

[515] S/PRST/2002/23.

Items included in the agenda of the Security Council from 1 January 2001 to 31 July 2002 for the first time

NOTE: The practice of the Security council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting held during the period from 1 January 2001 to 31 July 2002 will be found in the *Official Records of the Security Council*, 4254th to 4594th meetings.

The following chronological list shows the meeting at which the Council decided, during that period, to include in its agenda an item that had not been inscribed previously.

Item	*Meeting*	*Date*
Strengthening cooperation with troop-contributing countries	4257th	16 January 2001
Briefing by His Excellency Mr. Mircea Geoana, Minister for Foreign Affairs of Romania, Chairman-in-Office of the Organization for Security and Cooperation in Europe	4266th	29 January 2001
Peace-building: towards a comprehensive approach	4272nd	5 February 2001
The situation in Guinea following recent attacks along its border with Liberia and Sierra Leone The situation in Liberia The situation in Sierra Leone	4276th	12 February 2001
Letter dated 4 March 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council	4289th	7 March 2001
The situation along the borders of Guinea, Liberia and Sierra Leone	4291st	8 March 2001
The situation in Guinea following recent attacks along its borders with Liberia and Sierra Leone The situation in Sierra Leone	4319th	14 May 2001
Wrap-up discussions on the work of the Security Council	4343rd	29 June 2001
Security Council resolution 1160 (1998) of 31 March 1998	4366th	10 September 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Eritrea and Ethiopia pursuant to resolution 1353 (2001), annex II, section A	4369th	10 September 2001
Threats to international peace and security caused by terrorist acts	4370th	12 September 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Sierra Leone pursuant to resolution 1353 (2001), annex II, section A	4371st	13 September 2001

Item	*Meeting*	*Date*
Briefing by His Excellency Mr. Nebojša Čović, Deputy Prime Minister of Serbia, Federal Republic of Yugoslavia	4373rd	17 September 2001
Security Council resolution 1054 (1996) of 26 April 1996	4384th	28 September 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Iraq-Kuwait Observation Mission pursuant to resolution 1353 (2001), annex II, section A	4386th	2 October 2001
Nobel Peace Prize	4390th	12 October 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo pursuant to resolution 1353 (2001), annex II, section A	4391st	18 October 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Transitional Administration in East Timor pursuant to resolution 1353 (2001), annex II, section A	4397th	25 October 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Disengagement Observer Force pursuant to resolution 1353 (2001), annex II, section A	4425th	21 November 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara pursuant to resolution 1353 (2001), annex II, section A	4426th	21 November 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus pursuant to resolution 1353 (2001), annex II, section A	4435th	7 December 2001
Letter dated 30 April 2001 from the Secretary-General addressed to the President of the Security Council	4439th	18 December 2001
Meeting of the Security Council with the troop-contributing countries to the United Nations Mission of Observers in Prevlaka pursuant to resolution 1353 (2001), annex II, section A	4446th	10 January 2002
Security Council Working Group on Peacekeeping Operations	4447th	14 January 2002
Meeting of the Security Council with the troop-contributing countries to the United Nations Interim Force in Lebanon pursuant to resolution 1353 (2001), annex II, section A	4455th	21 January 2002

Item	*Meeting*	*Date*
Meeting of the Security Council with the troop-contributing countries to the United Nations Observer Mission in Georgia pursuant to resolution 1353 (2001), annex II, section A	4457th	24 January 2002
Briefing by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees	4470th	7 February 2002
Food aid in the context of conflict settlement: Afghanistan and other crisis areas	4507th	4 April 2002
Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Bosnia and Herzegovina pursuant to resolution 1353 (2001), annex II, section A	4553rd	13 June 2002
United Nations peacekeeping	4572nd	12 July 2002

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1339 (2001)	31 January 2001	The situation in Georgia	122
1340 (2001)	8 February 2001	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	326
1341 (2001)	22 February 2001	The situation concerning the Democratic Republic of the Congo	136
1342 (2001)	27 February 2001	The situation concerning Western Sahara	189
1343 (2001)	7 March 2001	The situation in Liberia	204
1344 (2001)	15 March 2001	The situation between Eritrea and Ethiopia	175
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1346 (2001)	30 March 2001	The situation in Sierra Leone	87
1347 (2001)	30 March 2001	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January and 31 December 1994	329
1348 (2001)	19 April 2001	The situation in Angola	76
1349 (2001)	27 April 2001	The situation concerning Western Sahara	189
1350 (2001)	27 April 2001	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	327
1351 (2001)	30 May 2001	The situation in the Middle-East	114
1352 (2001)	1 June 2001	The situation between Iraq and Kuwait	234
1353 (2001)	13 June 2001	Strengthening cooperation with troop-contributing countries	54
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1368 (2001)	12 September 2001	Threats to international peace and security caused by terrorist acts	290
1369 (2001)	14 September 2001	The situation between Eritrea and Ethiopia	178
1370 (2001)	18 September 2001	The situation in Sierra Leone	90
1371 (2001)	26 September 2001	The situation in the former Yugoslav Republic of Macedonia	51
1372 (2001)	28 September 2001	Security Council resolution 1054 (1996) of 26 April 1996	297
1373 (2001)	28 September 2001	Threats to international peace and security caused by terrorist acts	291
1374 (2001)	19 October 2001	The situation in Angola	79
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1376 (2001)	9 November 2001	The situation concerning the Democratic Republic of the Congo	152
1377 (2001)	12 November 2001	Threats to international peace and security caused by terrorist acts	294
1378 (2001)	14 November 2001	The situation in Afghanistan	270
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1407 (2002)	3 May 2002	The situation in Somalia	11
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1409 (2002)	14 May 2002	The situation between Iraq and Kuwait	249
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1411 (2002)	17 May 2002	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994	331
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Litho in United Nations, New York ISSN 0257-1455 03 36937 – May 2003